

TOWN OF SHARON

MULTI-FAMILY ZONING REQUIREMENT FOR MBTA COMMUNITIES

INFORMATION SESSION

PREPARED BY: TOWN OF SHARON
J.M.GOLDSON, LLC

MBTA COMMUNITIES ACT PERSPECTIVE

- MBTA Communities Act (3A) became law in January 2021. Sharon's compliance decision must be made by December 31st, 2024.
- MBTA Communities compliance requires a change in Sharon Zoning Laws to allow increased multi-family housing density within ½ mile of the commuter rail station.
- Rezoning does not automatically allow new buildings.
- Current restrictions on height, setbacks, septic (Title V), and all Board of Health regulations remain in force.

AGENDA

1. What is the MBTA Communities Law?
2. Sharon's related plans and zoning
3. Proposed zoning changes
4. Issue Discussion
5. Questions and Answers



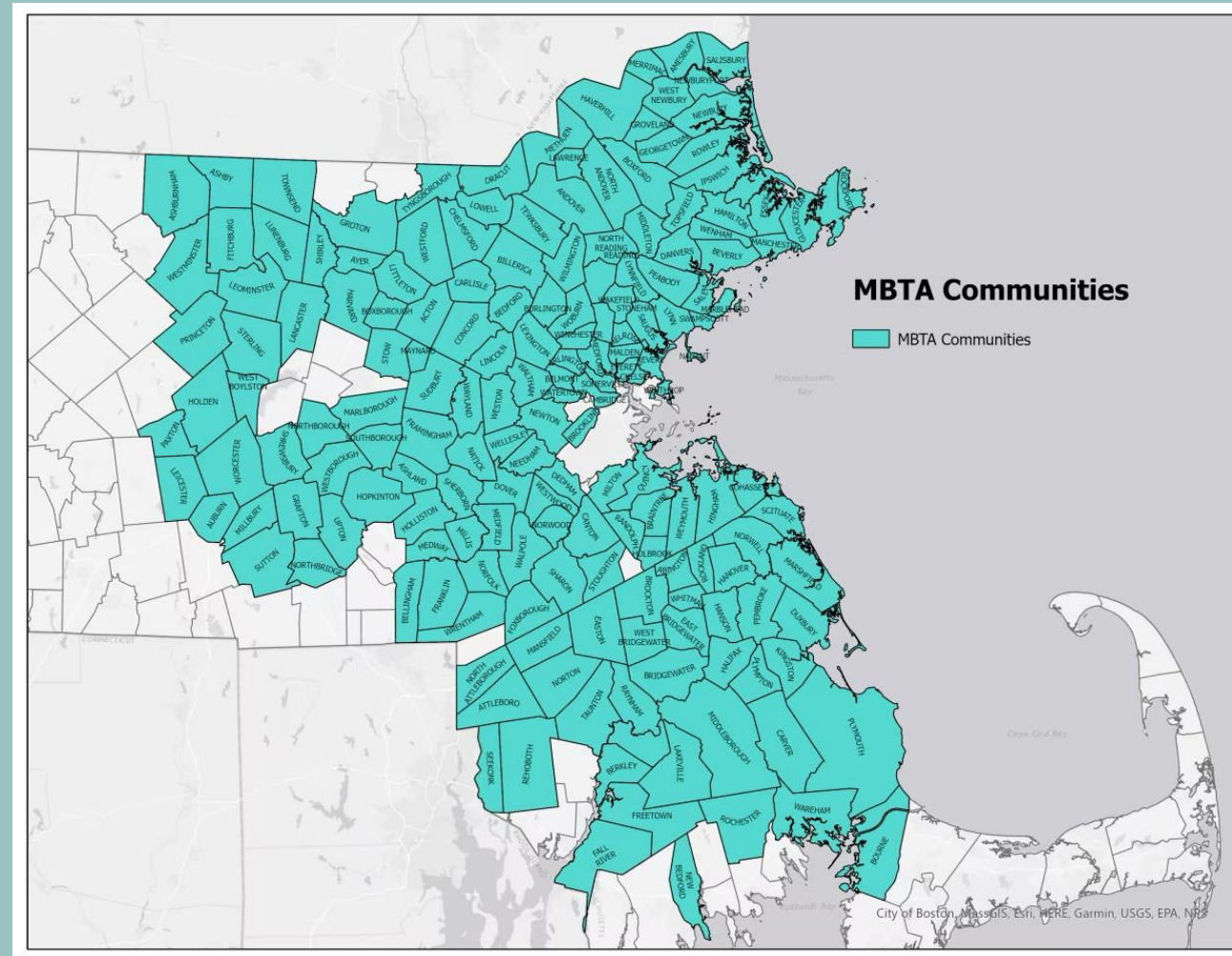
WHY WAS THIS LAW CREATED?

To increase housing throughout the Commonwealth in areas that are served by transit, to:

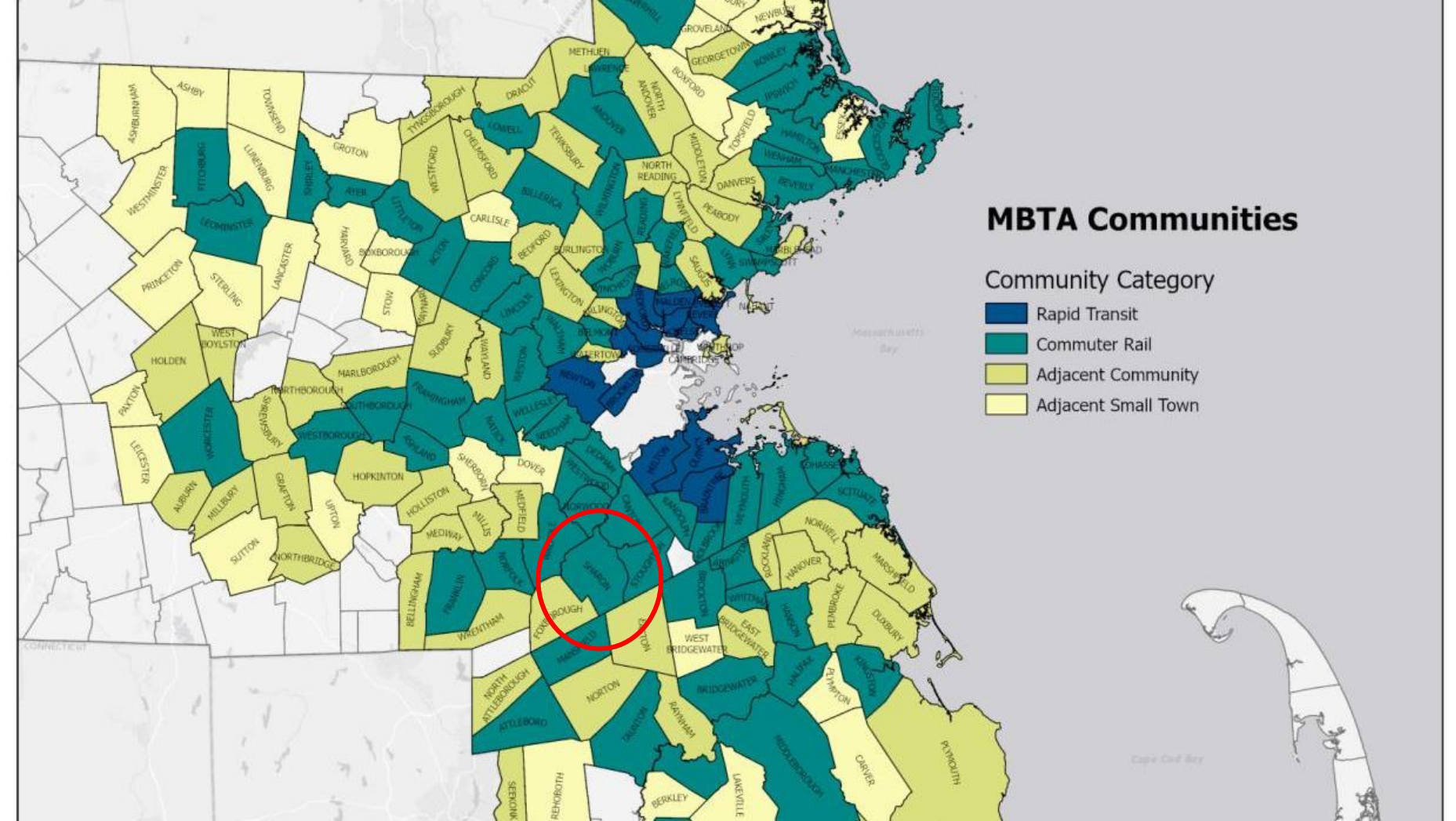
- Address the lack of enough housing to meet demand.
- Encourage new housing closer to local shops, jobs, schools, restaurants, parks, etc.
- Encourage better access and utilization of public transit.



WHAT IS AN MBTA COMMUNITY?



CATEGORIES OF MBTA COMMUNITIES



3A COMPLIANCE

DOES REQUIRE	DOES NOT
Designation of zone not more than ½ mile from a commuter rail station, subway station, ferry terminal, or bus station, as applicable.	Overrule other requirements (Title 5, wetlands, existing zoning except height).
Multi-family (3 units or more) housing is permitted “as of right”. At least one zoning district of “reasonable size”.	Replace other housing laws or programs, e.g. Chapter 40B, 40R districts, etc.
No age restrictions allowed. Suitable for families with children.	Force property owners to develop their land.
Minimum gross density of 15 units per acre. No restrictions on unit size, number or size bedrooms, and number of occupants.	Create a housing production goal
Units can be rental or for purchase.	Require cities and towns to pay for water and sewer infrastructure.

WHAT DOES “AS OF RIGHT” MEAN?

- Special permit cannot be required (a discretionary permit granted for projects allowed by zoning law, with conditions, safeguards, and limitations on use). As of right uses can't be denied by authorized Town Board.
- Site plan (comprehensive plan of a proposed development project) review is allowed but additional site plan review submissions can only be required when required for all other uses.
- There can be no extra requirements that do not apply to other uses (energy efficiency, third-party certification, commercial, or design standards).



DETERMINING REASONABLE SIZE

Metrics determine multi-family zoning district reasonable size:

- The Executive Office of Housing and Livable Communities (EOHLC) considers both the **land area** and the **multifamily unit capacity** of the multifamily zoning districts in determining reasonable size.
- For Rapid Transit, **Commuter Rail**, Adjacent Communities: 50 acres or 1.5% of the developable land area (land on which multi-family housing can be permitted and constructed), **whichever is less**.

Sharon has a minimum of 50 acres required but needs to also meet the multifamily unit capacity metric.

LOCATION OF DISTRICTS

EOHLC requires the multi-family zoning district to be located within transit station areas, defined by how much total developable station area. Developable station area means developable land (possible or practical to construct multi-family housing) within 1/2 mile of a transit station. Sharon meets this requirement. Sixty percent (60%) of district size and capacity could be outside the 1/2 mile radius, but this is not necessary.

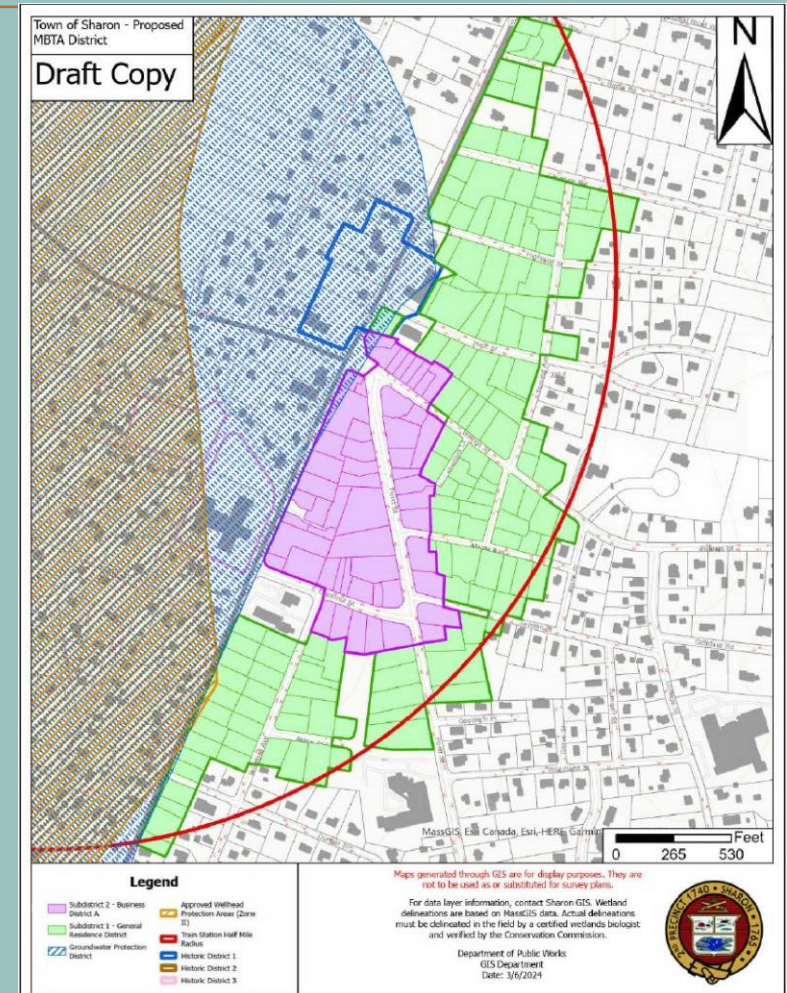
Total developable station areas (acres)	% of District within Transit Station area (1/2 mile)	% of District outside Transit Station area (1/2 mile)
0-100	0%	
101-250	20%	
251-400 Sharon @ 261	40%	60%
401-600	50%	
601-800	75%	
801+	90%	

MINIMUM MULTI-FAMILY UNIT CAPACITY

Category	% of Total Housing Units	Sharon Housing Units as per 2020 Census	Theoretical Capacity Number
Rapid Transit Community	25%		
Commuter Rail Community	15%	6,581	$6581 \times 0.15 = 987$ units A calculation but not an obligation to build.
Adjacent Community	10%		
Adjacent Small Town	5%		

LOCATION OF DISTRICTS

- A half-mile radius equals about 500 acres.
- Developable land excludes publicly owned, waterbodies, wetlands, protected open space, rights-of-way, Zone I wellhead areas, and certain educational or institutional uses.
- Sensitive land including Groundwater Protection District, DEP Zone II is excluded from the map as much as possible.
- The existing Library is in the Historic District.
- The district is divided into two subdistricts: Subdistrict 1 (shown in Green) is the General Residence Zone and Subdistrict 2 (Shown in Purple) is the Business District A Zone.
- Orange hatch lines indicate DEP Approved Zone II and Blue hatch lines indicate Groundwater Protection District.



FAILURE TO COMPLY

Failure to comply makes the community ineligible for funds including, but not limited to:

- MassWorks
- 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
- Commonwealth Places Programs, MassDevelopment
- Land Use Planning Grants, EOEEA
- Local Acquisitions for Natural Diversity (LAND) Grants, EOEEA and
- Municipal Vulnerability Preparedness (MVP) Planning and Projects Grants, EOEEA
- Collaborative Workspace Program, MassDevelopment
- Real Estate Services Technical Assistance, MassDevelopment

FAILURE TO COMPLY

Failure to comply makes the community ineligible for the funds mentioned on the previous slide, and:

- Informs funding decisions by other state agencies when evaluating discretionary grant programs.
- Possible legal action by the state.

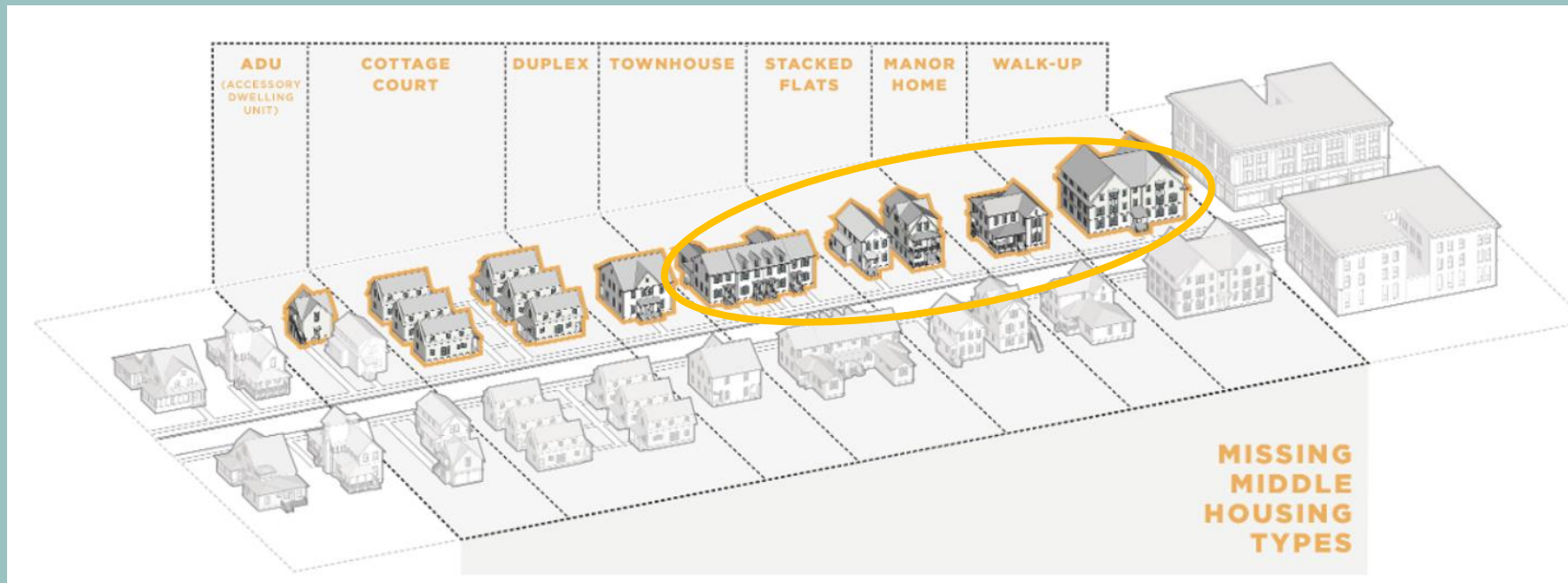
Deadline to submit district compliance application: **December 31, 2024**

STATE GRANT MONEY RECEIVED SINCE 2018-2023

MBTA Community that fails to comply with Section 3A shall not be eligible for the following Grants	Grant received by Town of Sharon
MassWorks Infrastructure Program	\$1,000,000
Community Planning Grants (Part of Community One Stop for Growth)	\$39,436
The Massachusetts Downtown Initiative	\$42,400
Municipal Vulnerability Preparedness Planning and Project Grants	\$75,000
Total	\$1,156,836

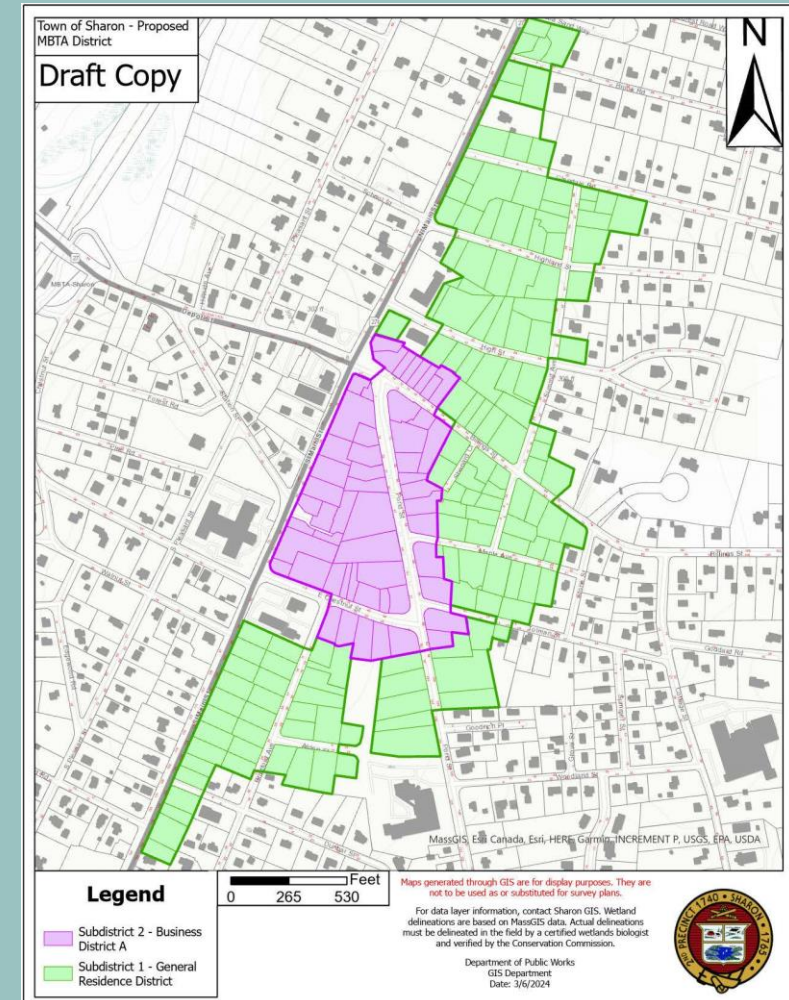
MULTI-FAMILY HOUSING OPTIONS

Multi-family = Three (3) or more units in a single building



SHARON'S PROPOSED MCMMOD DISTRICT

- Replace the existing Mixed Use Overlay District (MUOD) with MBTA Communities Mixed-use and Multifamily Overlay District (MCMMOD)
- Expanded area to meet needed acreage **and** capacity requirements
- Includes portions of the Business A District and General Residence District (1/2 mile from the train station)
- Avoids protected and sensitive land closer to the station
- Minimum lot dimensions stay the same as the underlying district, except for height
- Mixed-use also allowed in Business A and General Residence
- 10% affordable housing requirement for 10 units+
- This proposal meets the minimum compliance requirement.



ZONING COMPARISON

EXISTING MUOD	PROPOSED MCMMOD (MBTA Zoning)
Allows mixed-use development by right and multi-family as a special permit	Would allow both mixed-use and multi-family as of right
25.5 acres of land area	67.01 acres of land area
Includes Business A, Business B and Business C Districts except those portions of Business Districts within the Surface or Groundwater Protection Districts	Includes parts of Business A and General Residence districts (avoiding the Surface and Groundwater Protection Districts)
Minimum density for MUOD development shall be 20 units/ acre	Minimum density for MCMMOD development shall be 15 units/ acre
Minimum 20% of housing units must be affordable.	10% of housing units must be affordable, applicable to all residential and mixed-use developments with 10 or more dwelling units. Higher levels would require further analysis and state approval.

QUESTIONS & ANSWERS