



The MBTA Communities Law and Plymouth: Proposed Zoning Amendments

Annual Town Meeting 2024

January 24, 2024



Brief Overview: MBTA Communities Law

Proposed Zoning Amendments

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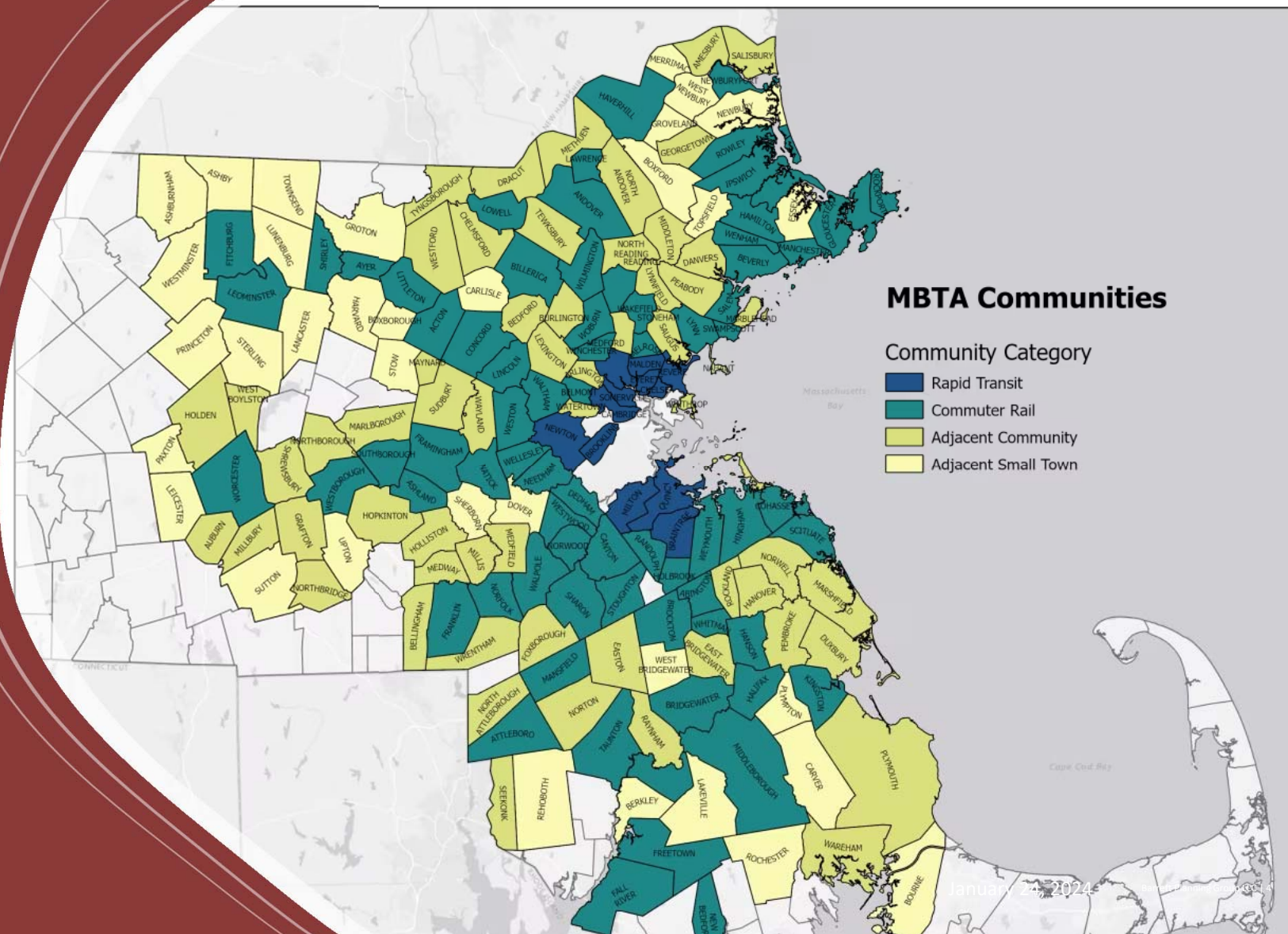
What is the MBTA Communities Law?

- Housing Choice Initiative: 2021 Economic Development Bill
- New zoning requirement for MBTA Communities: G.L. c. 40A, Section 3A
- Applies to 177 cities and towns in Eastern and Central Massachusetts
- Purposes:
 - Address the state's housing crisis
 - Encourage multifamily housing development
 - Boost the state's housing supply

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Basic requirements

- Multifamily “as of right,” 15 units/acre
- No age restrictions or limits on unit sizes, number or size of bedrooms, or number of occupants
- Within ½ mile of a commuter rail station, subway station, ferry terminal or bus station, *where possible*
- District must be “of a reasonable size”
- Executive Office of Housing & Livable Communities (EOHLC) empowered to set guidelines and determine a community’s compliance with the law

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What is a “district of reasonable size”?

- The lesser of 50 (total) acres or 1.5% of the community’s developable land
- Minimum **zoned capacity** (varies by municipality)
- At least half the district must be contiguous parcels
- In most cases, a contiguous subdistricts area of at least 5 acres is required



What is “zoned capacity”?

- Zoned capacity is:
 - The number of units that could be permitted across the district *by right*
 - Plymouth minimum requirement: 2,807 units
- Zoned capacity is not:
 - Limited to vacant land
 - A requirement to construct units
 - Concerned with existing units



The law does not:

- Require new housing development
- Require communities to pay for infrastructure to support housing development in a 3A district
- Override the Massachusetts Wetlands Protection Act or Title V of the Massachusetts Environmental Code
- Provide options for waivers or exemptions



Opportunities & limitations

- Permitting can be subject to Site Plan Review (SPR) to regulate aspects such as:
 - Vehicular/emergency access
 - Pedestrian/vehicular circulation
 - Architectural design, landscaping, buffering & screening, etc.
 - Screening of adjacent properties
- Communities may require up to 10% affordable units
- Definition of “affordable” not limited to income caps under Chapter 40B



Impact on non-compliance with 3A

- Non-compliant communities are ineligible by law for the following grants
 - Community One Stop for Growth (formerly MassWorks & other programs)
 - Housing Choice
 - Local Capital Projects Fund



Impact on applications for other state grants: loss of competitiveness

- 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



How has Plymouth used these grants?

Past 5 Years, Recent Examples (Partial List):

- Municipal Vulnerability Grants (Planning, Implementation): \$2.3M
- Coastal Resilience: \$2M
- Ecological Restoration \$1.5M
- Holmes Dam \$1.3M
- Wareham Road: \$1M
- Town Boat Ramp: \$1M
- Loring Road: \$385,000
- Plymouth Beach Seawall: \$106,000

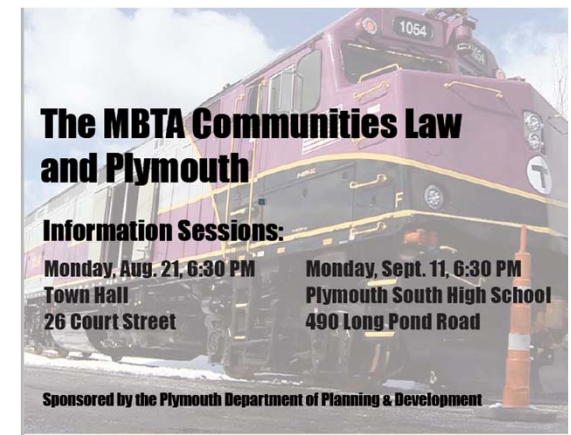
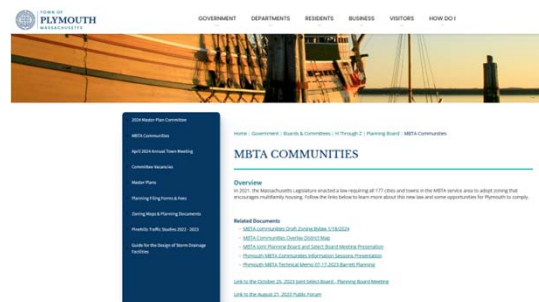
Many others ...



Plymouth Outreach

- August 21st Public Forum Town Hall
- September 11th Public Forum Plymouth South High School
- October 25th Joint Planning Board – Select Board Meeting
- January 24th Planning Board Public Hearing
- Information Posted on the Planning Board’s Webpage

<https://www.plymouth-ma.gov/1246/MBTA-Communities>



Why should you attend?

In 2021, the Massachusetts Legislature enacted a law requiring all 177 cities and towns in the MBTA service area to adopt zoning that encourages multifamily housing. Come and learn more about this new law, get answers to your questions, and hear about some opportunities for Plymouth to comply.



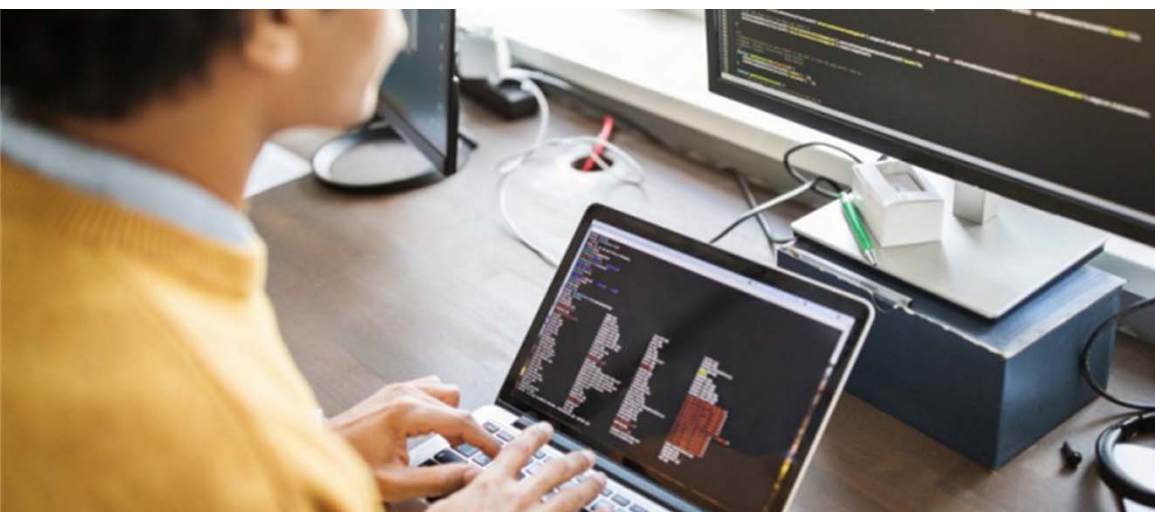
For more information, contact Lee Hartmann, AICP,
Director of Planning & Development,
LHartmann@plymouth-ma.gov.



Plymouth Outreach

- ✓ Planning Board Unanimous Support
- ✓ Select Board Unanimous Support
- ✓ Advisory and Finance Committee Unanimous Support





Analysis for Plymouth

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Analysis of potential districts: the compliance model

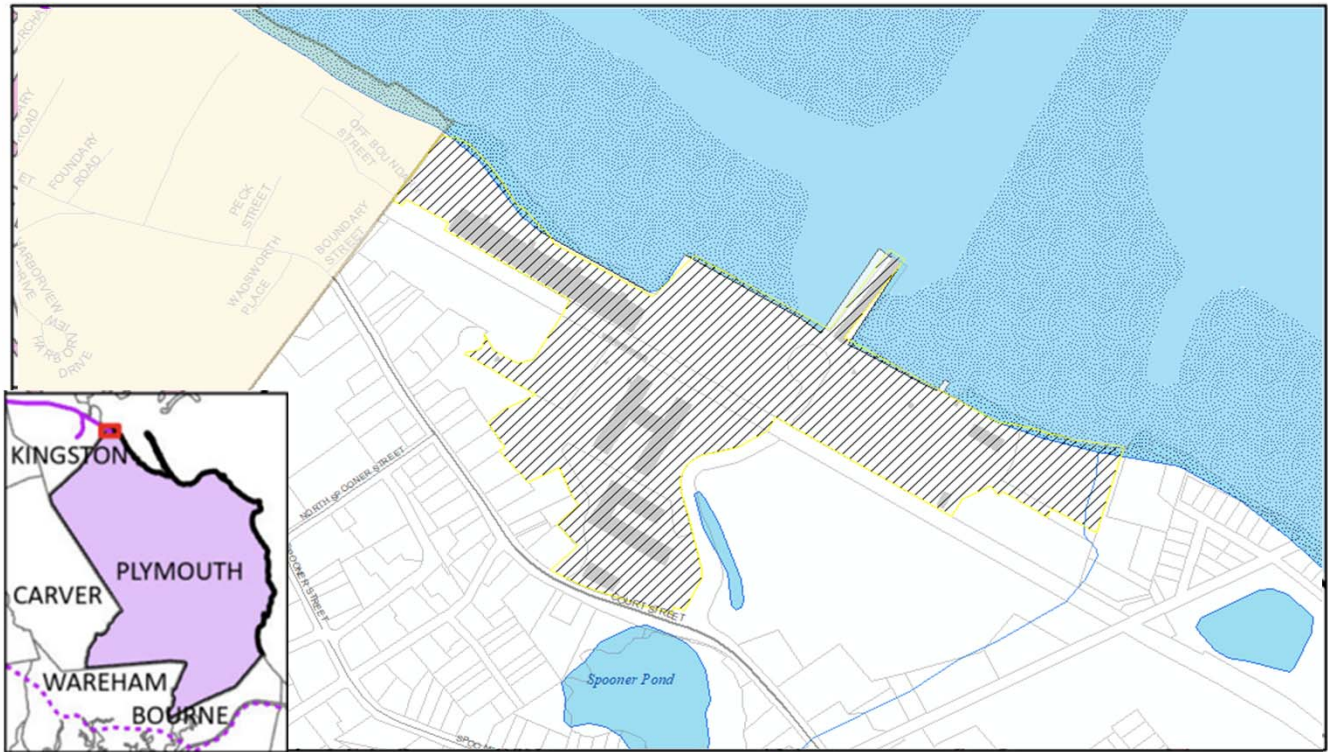


Compliance model: how it works

- Determines **zoned capacity** for a given parcel or set of parcels, based on these assumptions:
 - Gross area (parcel sq. ft.) minus “excluded land,” such as:
 - Permanently protected conservation land
 - Public land and public rights of way
 - Institutional properties (e.g., a college or hospital)
 - Input assumptions applied to gross area *minus* excluded land:
 - Building height
 - Parking spaces per unit
 - Maximum lot coverage
 - A few others depending on community’s zoning ordinance or bylaw



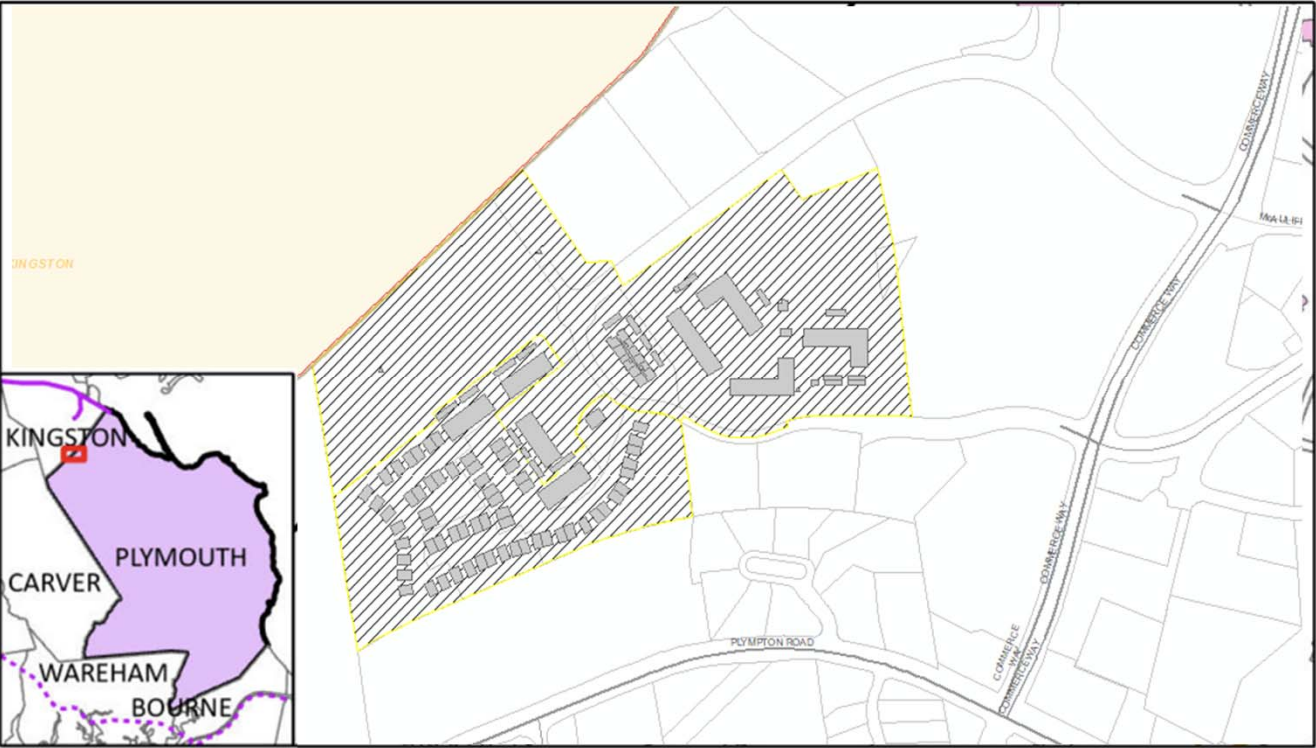
Cordage



Legend (for all maps)

- | | | |
|---------------------------------------|------------------------------------|--|
| Regular Service Commuter Rail | Limited Access Highway | Structures |
| Used Seasonally or for Special Events | Multi-lane Hwy, not limited access | Proposed MBTA Communities District Sites |
| | Other Numbered Highway | |

Plaza Way



Legend (for all maps)

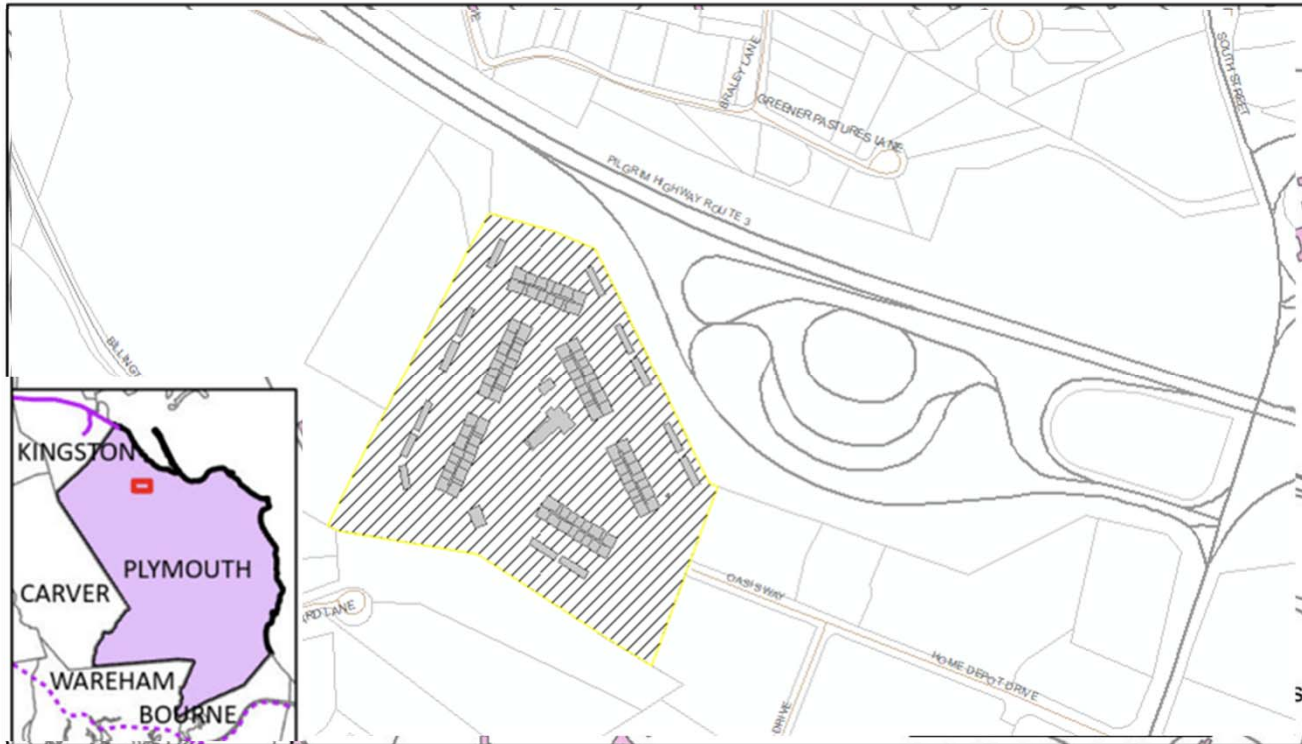
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Home Depot Drive



Legend (for all maps)

- | | | |
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The Pinehills



Subdistricts Snapshot

Subdistrict	Modeled Number of Units (Zoned Capacity)	Minimum Lot Area (Sq. Ft.)	Maximum Density (DU/Acre)
Cordage	746	20,000	20
Plaza Way	1,205	5,000	20
Home Depot Drive	733	60,000	15
Pinehills	<u>1,134</u>	80,000	22
All scenarios total:	3,072		



Summary

- Proposed Zoning:
 - Overlay district with four subdistricts
 - Overlay does not change underlying zoning
 - Different density & dimensional requirements for subdistricts based on modeling, conservative assumptions
 - Sets basic standards (off-street parking, building placement & orientation)
 - Relies on existing Zoning Bylaw for other controls, e.g., landscaping, lighting, signs)
- Reviewed by Town Counsel



Questions and Comments

Proposed MBTA Communities Zoning Amendments

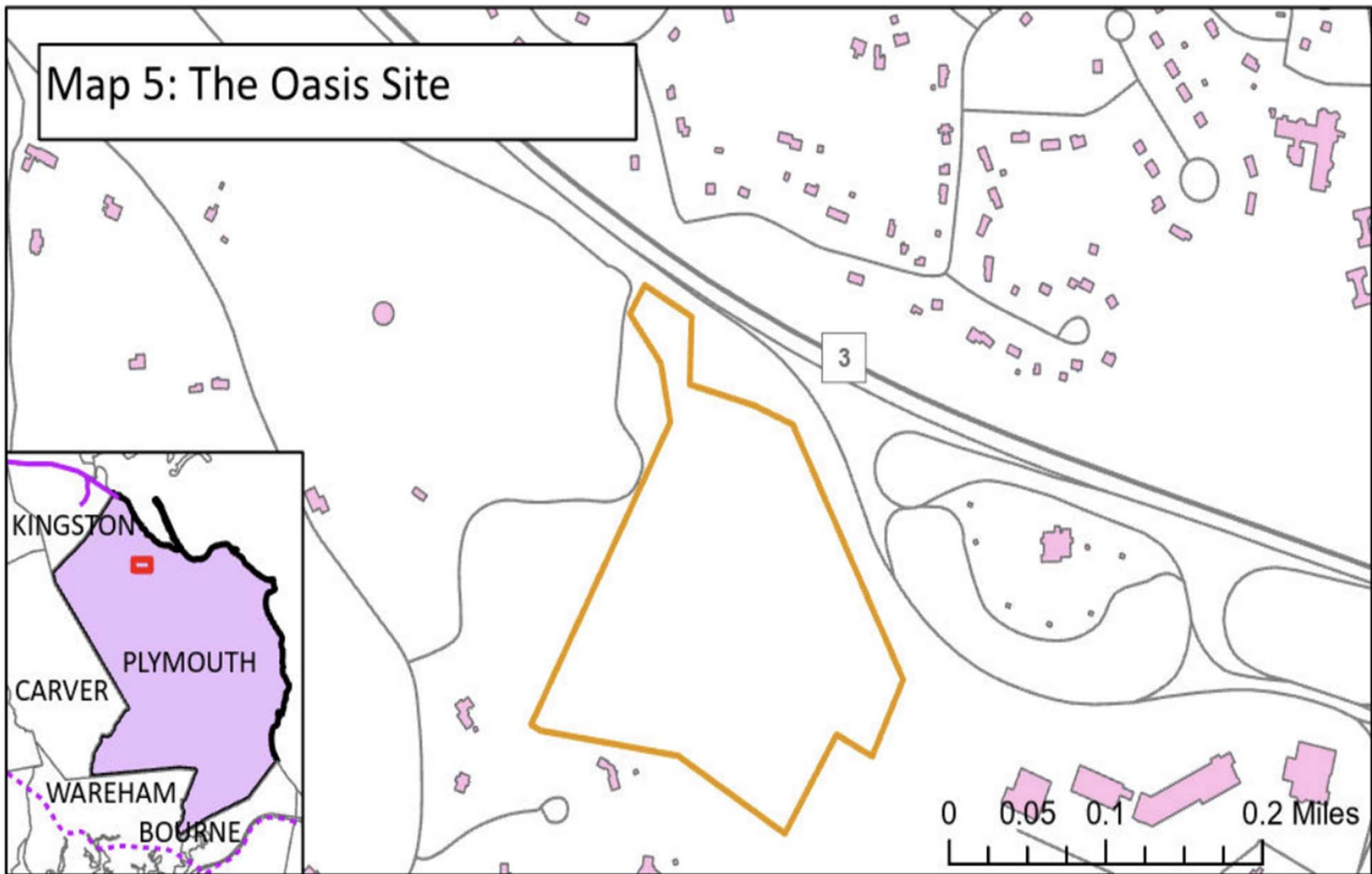




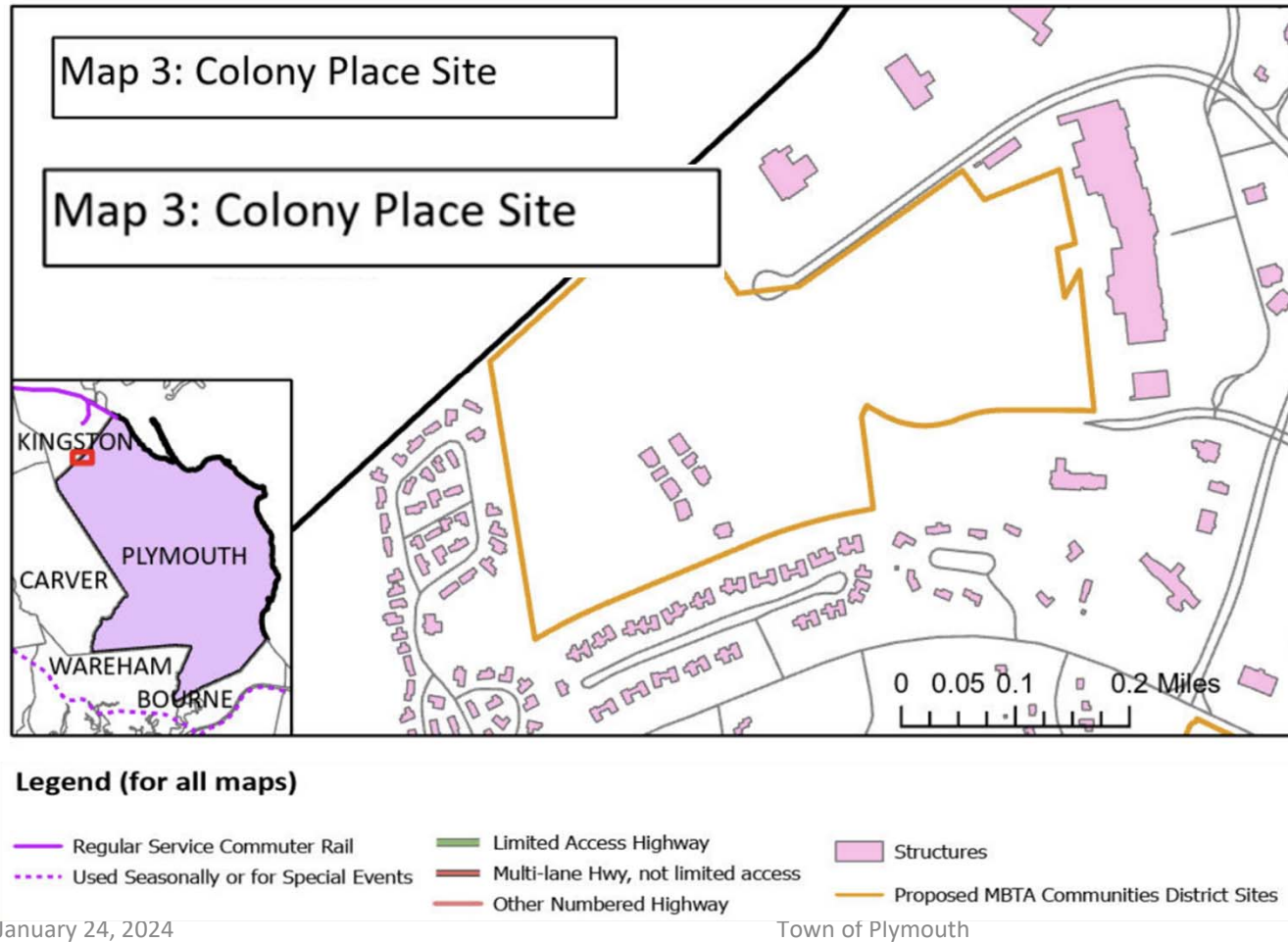
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Map 5: The Oasis Site



Plaza Way



Map 6: Pine Hills Site

