

Amend Zoning Bylaw & Zoning Map to Include MBTA Communities Overlay Districts

**Presented by:
Southborough Planning Board**

Meme Luttrell, Chair

Jesse Stein, Vice Chair

Marnie Hoolahan, Member

Debbie DeMuria, Member

Lisa Braccio, Member



Tonight's Overview Agenda

What is the MBTA Act, and
How Does it Impact Southborough

How Were the Zoning Districts Selected

What Are the Zoning Districts

What Happens Next



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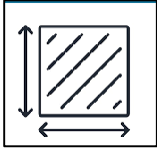
What is the MBTA Communities Act?

In January 2021, the MBTA Communities Act became law

- Signed into law under the Baker administration with broad bipartisan support
- State zoning law enacted to improve the housing inventory available
- The law only requires the Town to adopt zoning that allows multi-family development **as-of-right**
- 177 cities and towns are impacted
- Southborough must have the required zoning in place by December 31, 2024



Key Components of the MBTA LAW



50 total acres: 10 acres within ½ mile of MBTA station



Walking distance to public transportation, bikeways, bus stops



Suitable for families with children (**no bedroom or age restrictions**)



Zoning must allow a minimum **gross density of 15 units per acre**



Zoning permit process cannot be discretionary

Multi-family = Building designed for 3+ dwellings

What MBTA Zoning Means to Southborough

50 Acres

- 10 Acres:** Within 1/2 mile of the MBTA station
- 25 Acres:** 50% must be contiguous
- 15 Acres:** Can be 5-Acre districts

Note: The original requirement was for all acreage within 1/2 mile: town negotiated with the state

750 Units

Minimum total unit capacity



Southborough Maintains Site Plan Control

Site Plan Review

- Major Site Plan Review application
- Public hearing with abutter notification
- Heights, setbacks, parking, lighting, Lower Impact Development (LID)
- 10% units “Affordable” required to be inclusionary dwellings for SHI
- 90% of units at market rate

The Planning Board would have oversight and the ability to enforce the UNDERLYING ZONING of each of the proposed overlay districts



What Dense Housing Can Look Like



Address: 528 Boston Post Road, Sudbury
Units: 250 **Acres:** 17 **Density:** 15 Units/Acre

At the parcel level, the look of 15 units per acre will vary based on the parcel size. It could mean a three-unit townhouse on a 10,000 square foot (approximately $\frac{1}{4}$ of an acre) parcel.

Our underlying zoning allows for no taller than 3 stories or 45'.

Underlying Zoning Prevails for Proposed Dev't

Any developments proposed are required to meet Southborough Zoning Code (**LOCAL CONTROL**)

Dimensional Standards	District 1: Residence B	District 2: Industrial Park	District 3: Industrial Park
Minimum Lot Area (SF)	25,000	43,560	43,560
Minimum Frontage (Ft)	125	200	200
Minimum Setbacks (Ft)			
Front	30	75*	75*
Rear	35	50	50
Side	15	50	50
Maximum Height	2.5 stories or 35 feet	3 stories or 45 feet	3 stories or 45 feet
Maximum Floor Area Ratio	0.3	0.6	0.6
Maximum dwelling units per acre	15.0	16.0	15.0

SF= Square Feet, Ft= Feet



How Does MBTA Benefit Southborough



A Housing Shortage



High Cost of Living

- A modest step to provide **zoning** to build more diverse housing
 - Included as a goal in our 2021 Master Plan to provide more diverse housing
 - #1 priority in our housing production plan
 - 90% of our housing inventory is single-family homes
 - Potential to provide housing opportunities for younger and older generations seeking to enter or stay in Southborough
 - Provides for 10% of potential developed units to contribute to our Southborough Affordable Housing Inventory
- Districts proposed ensure a gradual impact over time
- Contributes to our community responsibility towards easing the housing crisis

Consequences for Not Passing the MBTA Law

- **Ineligibility for grants from the MassWorks and HousingWorks infrastructure programs, the Housing Choice Initiative, and the Local Capital Projects Fund**
- **Civil enforcement action by the Attorney General's Office** or legal groups and liability under federal and state fair housing laws
- **Reduced consideration for the following 13 discretionary grant programs** (and potentially others):
 - EOHLC's Community Planning Grants
 - Executive Office of Economic Development's Massachusetts Downtown Initiative, Urban Agenda, and Rural and Small-Town Development Fund
 - MassDevelopment's Brownfields Redevelopment Fund, Site Readiness Program, Underutilized Properties Program, Collaborative Workspace Program, Real Estate Services Technical Assistance, and Commonwealth Places Program
 - Executive Office of Energy and Environmental Affairs' Land Use Planning Grants, Local Acquisitions for Natural Diversity Grants, and Municipal Vulnerability Preparedness Planning and Project Grants

Has Southborough Benefited from Grants?

Yes, AND we expect to need more.....

- **One Stop Grant** for a Route 9 study and sewer evaluation
- **MassWorks** to support Route 9 Sewer overhaul
- And potentially more.....

**Grants can offset tax overrides
reducing the financial burden of our citizens**



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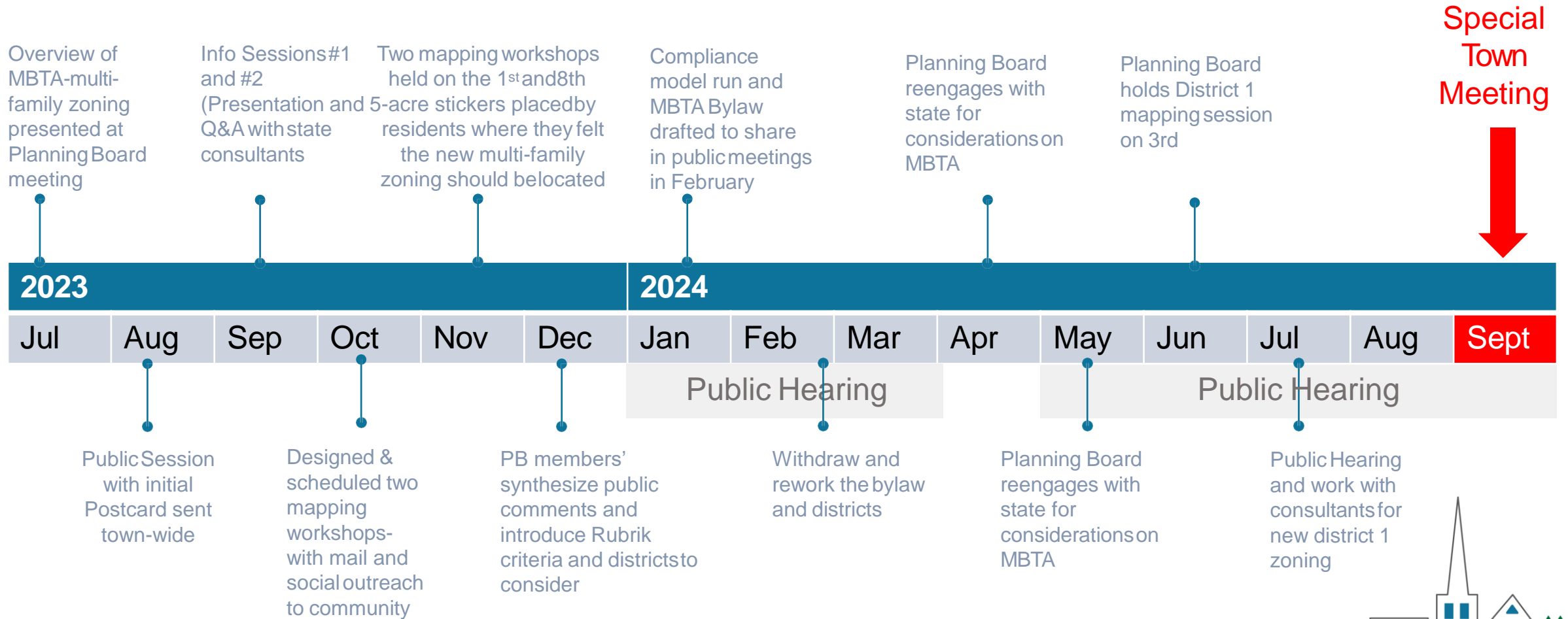


What Happens Next



Planning Board Process to Prepare for Today

Education and outreach since August 2023 with over 45 meetings over 14 months



Planning Board Approach for Overlay Bylaw

Planning Board leveraged state consultants, our citizens, and additional tools to identify areas for re-zoning

Objective:

Meet zoning act requirements while limiting impact to existing residential neighborhoods

Approach:

- Used state consultants and guidelines
- Used state compliance modeling tool
- Asked Southborough residents for their input
- Conducted local mapping sessions to identify 21 areas
- Leveraged other towns experiences and recommendations
- Developed a prioritization criteria rubrik to compare and contrast districts identified from resident mapping sessions

State Guidelines

Eligible Properties in Acreage

- Privately owned properties
- Developable public land

Non-Eligible Properties in Acreage

- Conservation Land
- Non-profit owned properties
- Water
- Article 97 protected properties

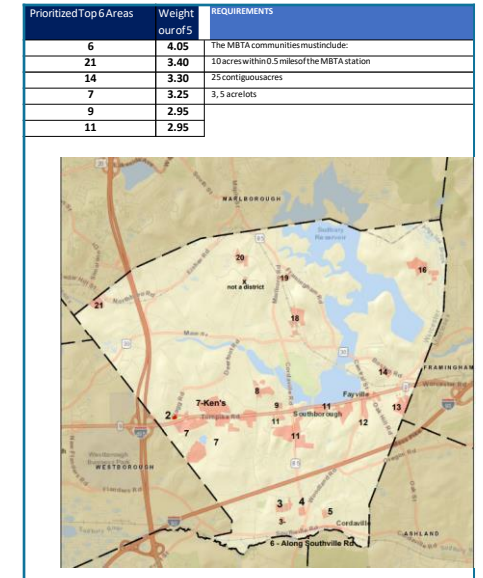


Refining the 21 Areas Using Weighting Criteria

Planning Board Criteria and Scoring Rubrik

Recommended for MBTA	Definition	Weighting
Non motor access to MBTA station	Safe Walking Access to MBTA (5= Yes,1=No) Safe Biking Access to MBTA	15%
Transportation Network Road Classification	Rank 5(Major Arterial- Route 9) Rank 3(Minor Arterial - Rte 85) Rank 2 (Collector-Parkerville Road) Rank 1(Local-Flagg Road)	15%
Established Infrastructure	Water, septic/sewer and. Utilities Established septic for single-family = 3; Established septic/sewerage > single family=4/5	15%
Zoned Business or Industrial	Overaly zoning could include multi-housing or mixed use	15%
No traffic impact to local scenic roads/streets and neighborhoods	Location will not impact car traffic on scenic roads and neighborhoods	10%
Location will not require additional parking infrastructure at MBTA station	Incentive to ride MBTA is directly correlated to ease of station to get to and parking (parking cannot increase at MBTA station currently)	10%
No impact on trees	Location and conversion to multi-family or mixed use will not impact removal of trees	10%
The parcel <u>does not include</u> any Open Space High Priority Preservation	Open Space prioritized through Mass Audubon; A property preserved is a 1, not preserved is a 5	10%

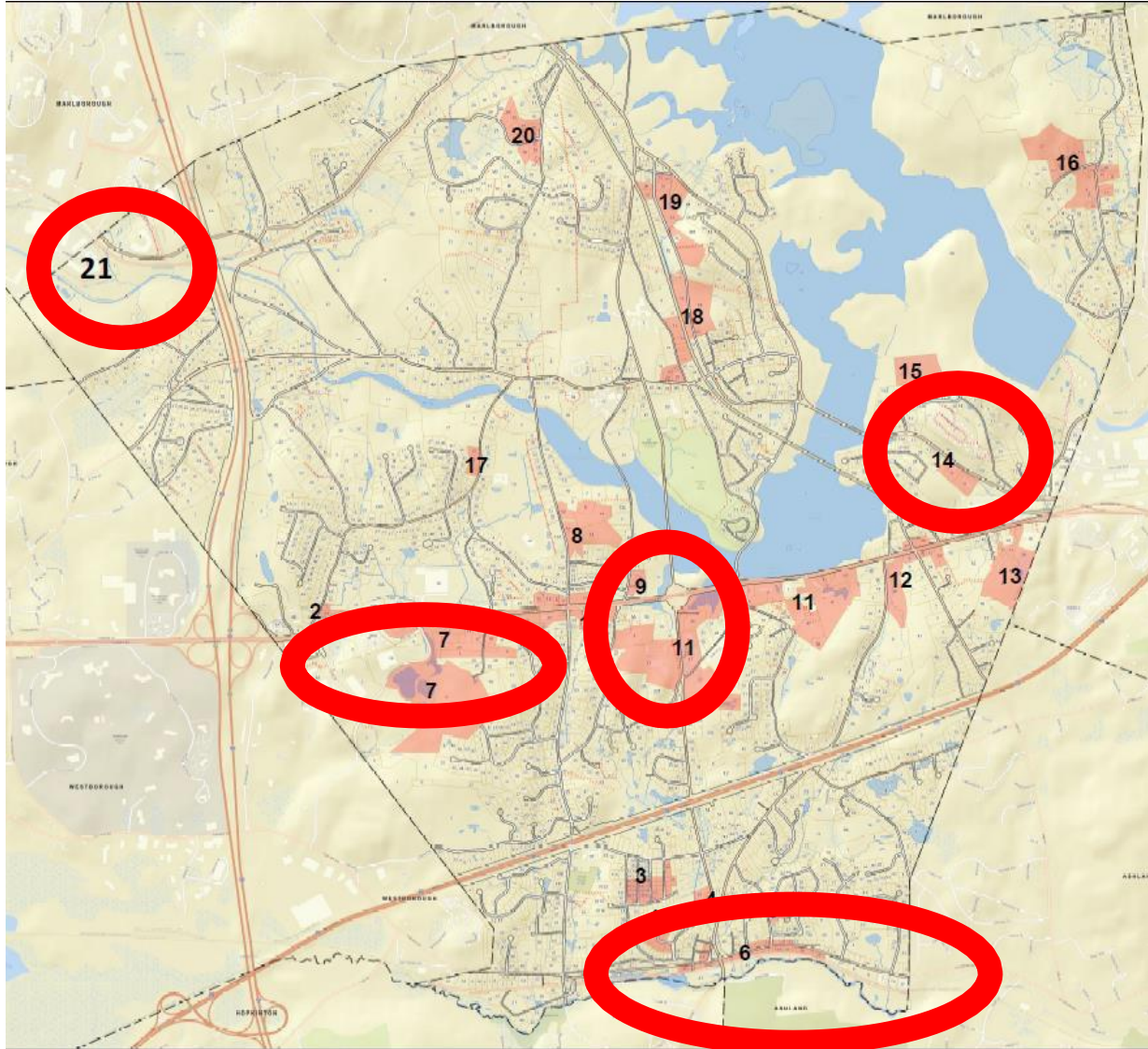
Rank (1-5)	Definition
1	Does not meet criteria (NO)
2	
3	Neutral
4	
5	Does meet criteria (YES)



Criteria	Weighting	1	2	3	4	5	6	7	8	9	11	12	13	14	16	18	19	20	21
Non motor Access to MBTA station	15%	1	1	5			5	1	1	1	1	1	1	1	1	1		1	1
Transportation Network Road Classification	15%	1	1	1			3	5	3	3	3	5	3	3	1	1		1	1
Established Infrastructure	15%	4	5	3			4	4	3	4	4	4	3	3	3	4		3	5
Zoned Business or Industrial	15%	5	3	1			3	3	1	3	3	3	3	5	1	3		1	5
No traffic impact to local scenic roads/streets and neighborhoods	10%	5	3	1	<5 Acres	<5 Acres	4	4	1	3	3	4	5	5	1	1	<5 Acres	1	5
Location will not require additional parking infrastructure at MBTA station	10%	1	1	5			5	1	1	1	1	1	1	1	1	1		1	1
No impact on trees	10%	1	4	2			4	3	1	4	4	3	2	4	2	4		3	5
The parcel does not include any Open Space High Priority Preservation	10%	2	5	5			5	5	1	5	5	1	1	5	1	5		5	5
Calculations	100%	2.55	2.8	2.8			4.05	3.25	1.6	2.95	2.95	2.85	2.4	3.3	1.4	2.45		1.9	3.4



Highest Ranked Resident Selected Districts



Prioritized Top 6 Areas	Closest to 5 is highest ranked
6	4.05
21	3.40
14	3.30
7	3.25
9	2.95
11	2.95

- The Planning Board reviewed the areas and modeled several combinations
- Public hearing input compromise
- The final three are presented in the bylaw for Town vote tonight

Modeled Results Meet Compliance Requirements

Comparison Table of Requirements and Modeled Results			Meets Requirements
Category	Guideline Requirements	Modeled Results	
Community	Southborough	Southborough	
Community Category	Commuter Rail	Commuter Rail	
2020 Housing Units (Census PL-94):	3,763	3,763	
Minimum Multi-family Unit Capacity:	750	828	YES
Minimum Land Area:	50	59.2	YES
Developable station area:	167.08	167.08	YES
% Unit Capacity within Transit Station Areas:	20%	105%	YES
% Land Area Located in Transit Station Areas:	20%	129%	YES

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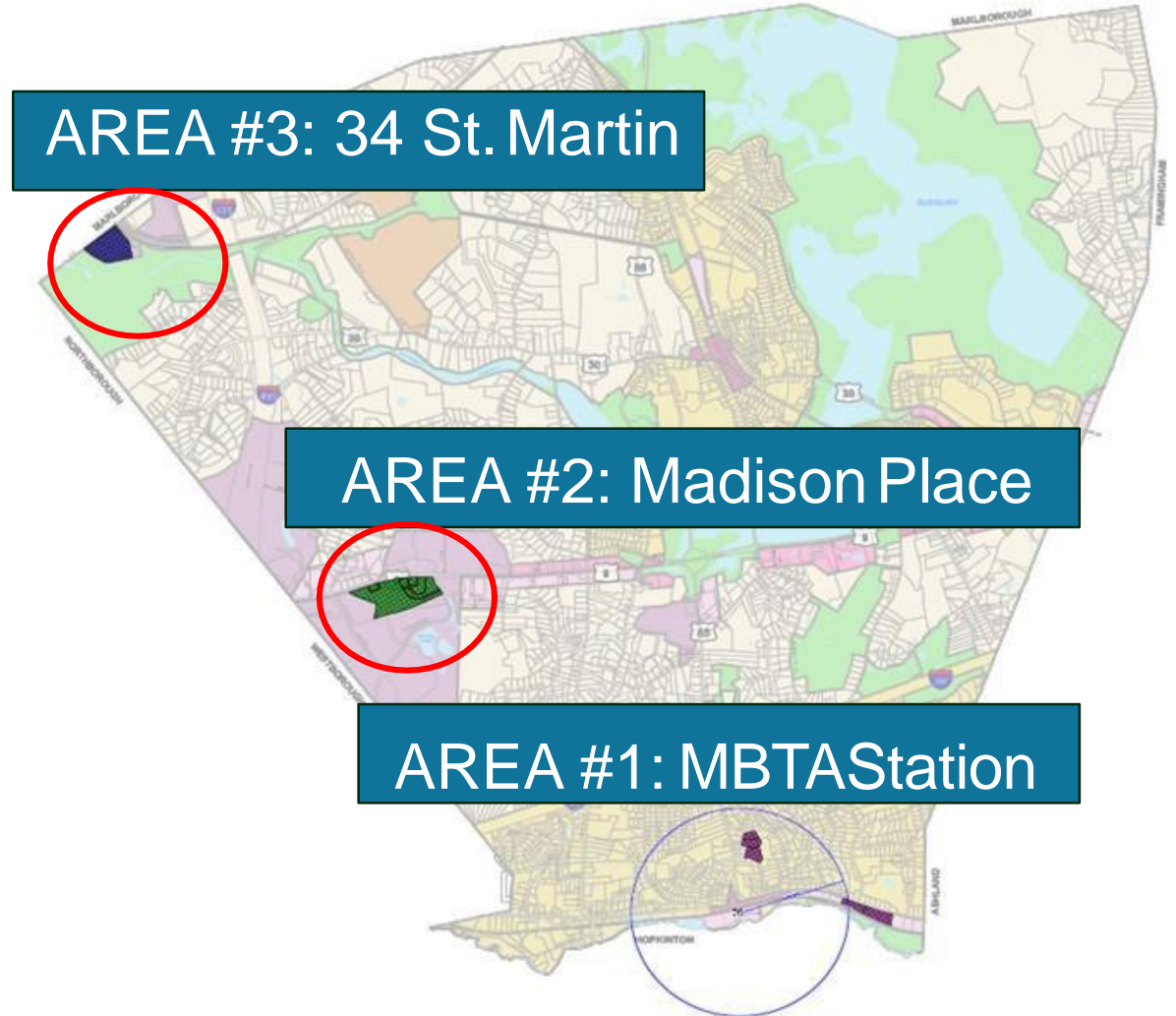


Proposed MBTA Overlay Districts

- Recommended proposal meets State compliance model

- ✓ 750 Units
- ✓ 50 acres
- ✓ 10 acres ½ mile of MBTA

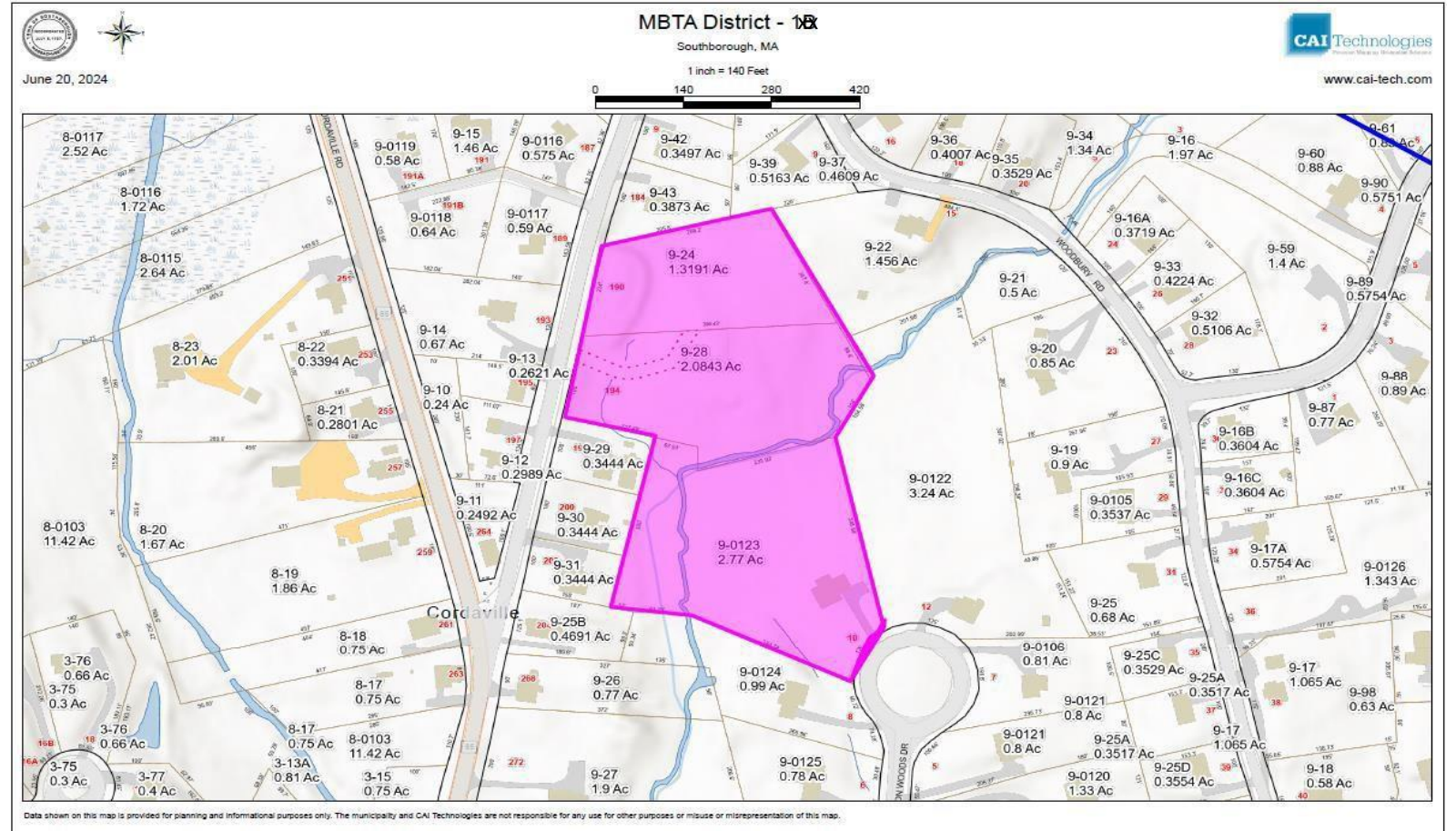
LEGEND - DISTRICTS	
	SUB-DISTRICT 1
	SUB-DISTRICT 2
	SUB-DISTRICT 3
	MBTA COMMUNITIES MULTI-FAMILY OVERLAY DISTRICT (MCMOD)
	MBTA COMMUTER RAIL STATION



District 1A: Woodland/Blendon Woods

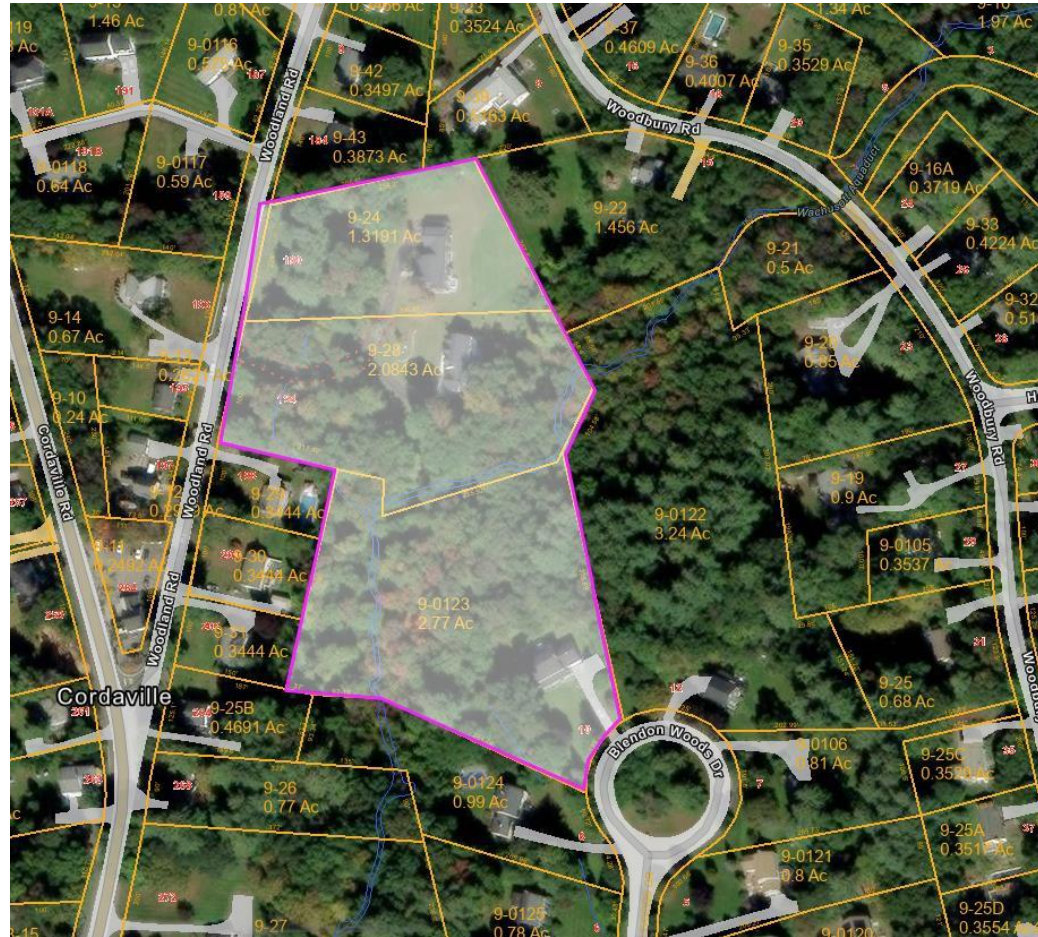
6.1 Acres

- 190 Woodland Rd
- 194 Woodland Rd
- 10 Blendon Woods Dr.



Modeled District 1A - Woodland/Blendon Woods Results

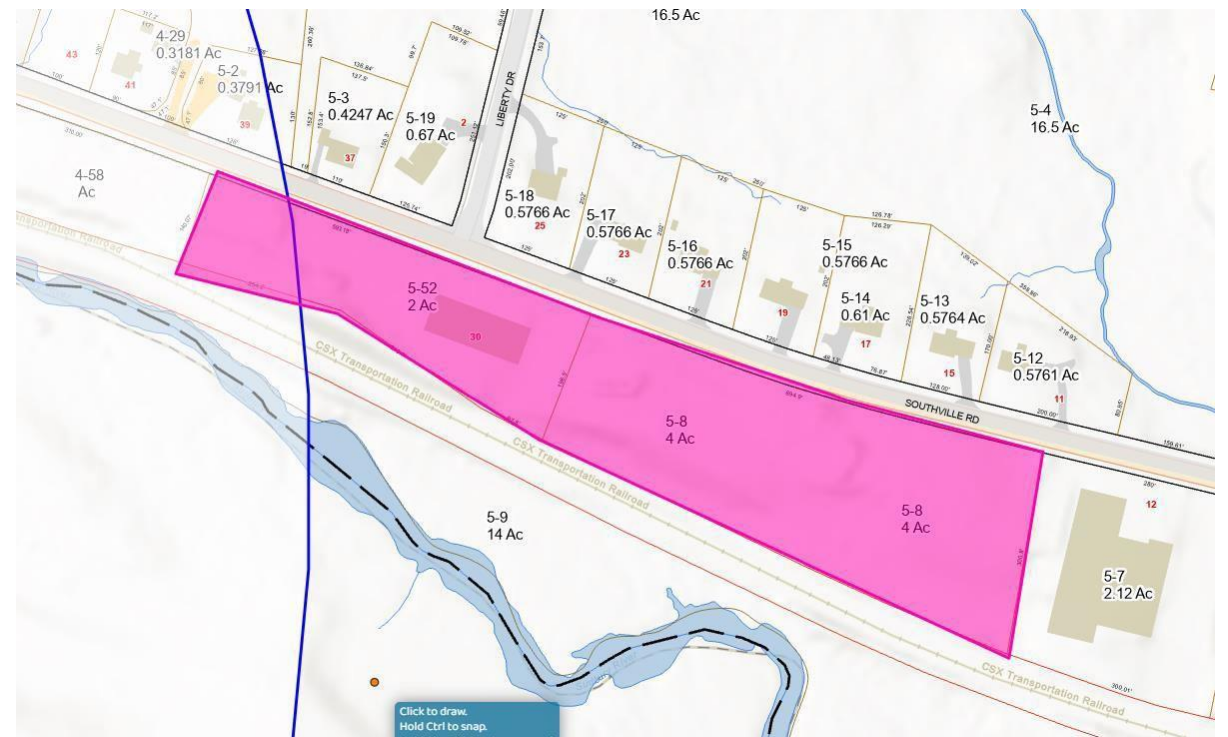
Data Metric	Area
District Name	Station Area 1A
District Acreage (see note)	6.6
District Density Denominator (see note)	6.6
Final Unit Capacity per District	77
Density Unit per Acre	11.7
Parcel Acreage	6.6
Total Built Square Feet	205,272
Total Units in Station Area	77
Non-Conforming Parcels	0
Total Excluded Land (sf)	31,147
Total Open Space (sf)	82,465
Total Parking Area (sf)	123,163
Units Forgone due to Unit Cap in Zoning	0.00



District 1B: Southville Road

6 Acres

- 30 Southville Rd
- Southville Rd



Modeled District 1B-Southville Rd. Results

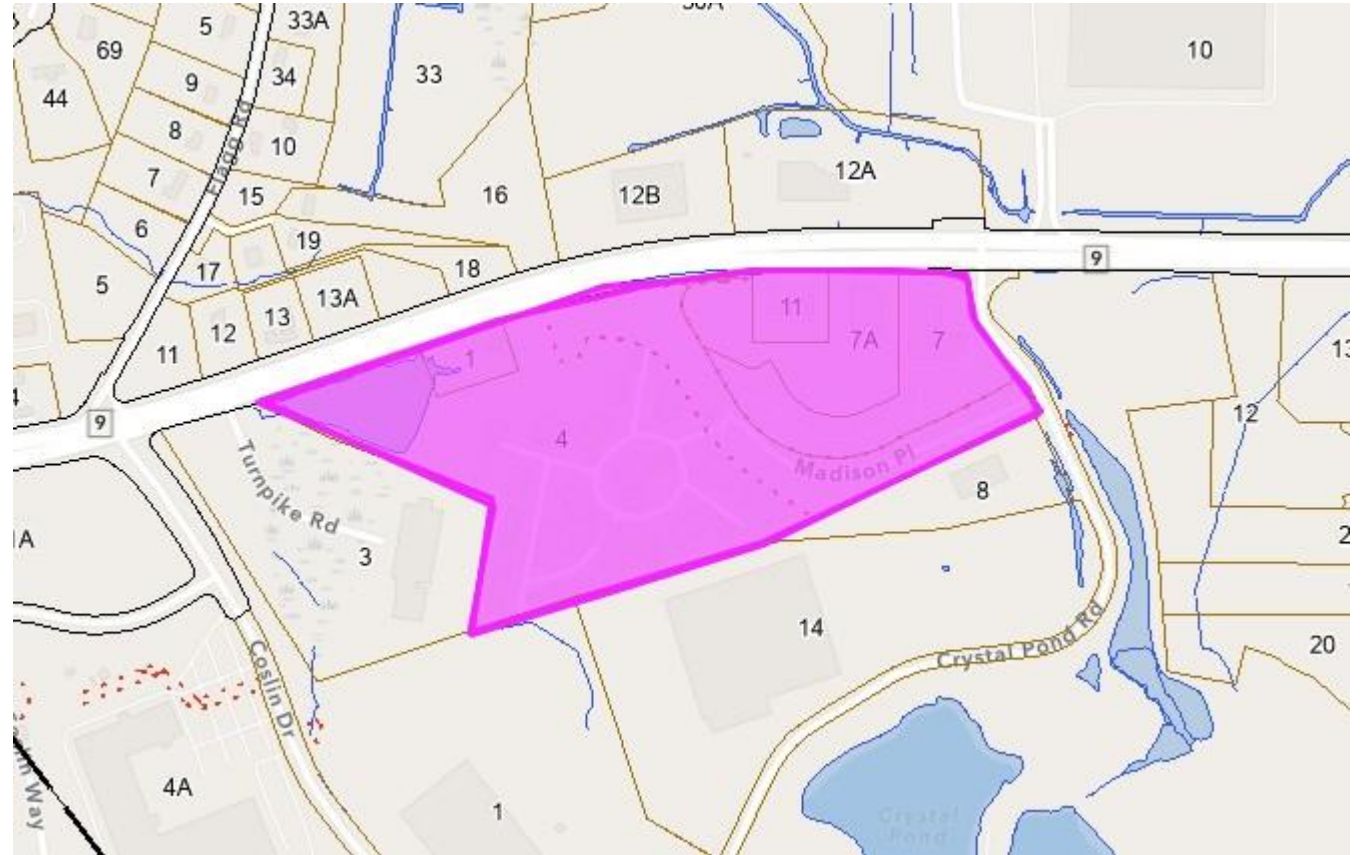
Data Metric	Area
	Station Area
District Name	1B
District Acreage (see note)	6.3
District Density Denominator (see note)	3.9
Final Unit Capacity per District	80
Density Unit per Acre	20.6
Parcel Acreage	6.3
Total Built Square Feet	149,890
Total Units in Station Area	80
Non-Conforming Parcels	1
Total Excluded Land (sf)	114,054
Total Open Space (sf)	125,430
Total Parking Area (sf)	89,934
Units Forgone due to Unit Cap in Zoning	0.00



District 2: Madison Place

29.5 Acres

- 334 Turnpike
- 1200 Madison Place
- 300 Turnpike
- 302 Turnpike
- 304 Turnpike



Modeled District 2-Madison Place Results

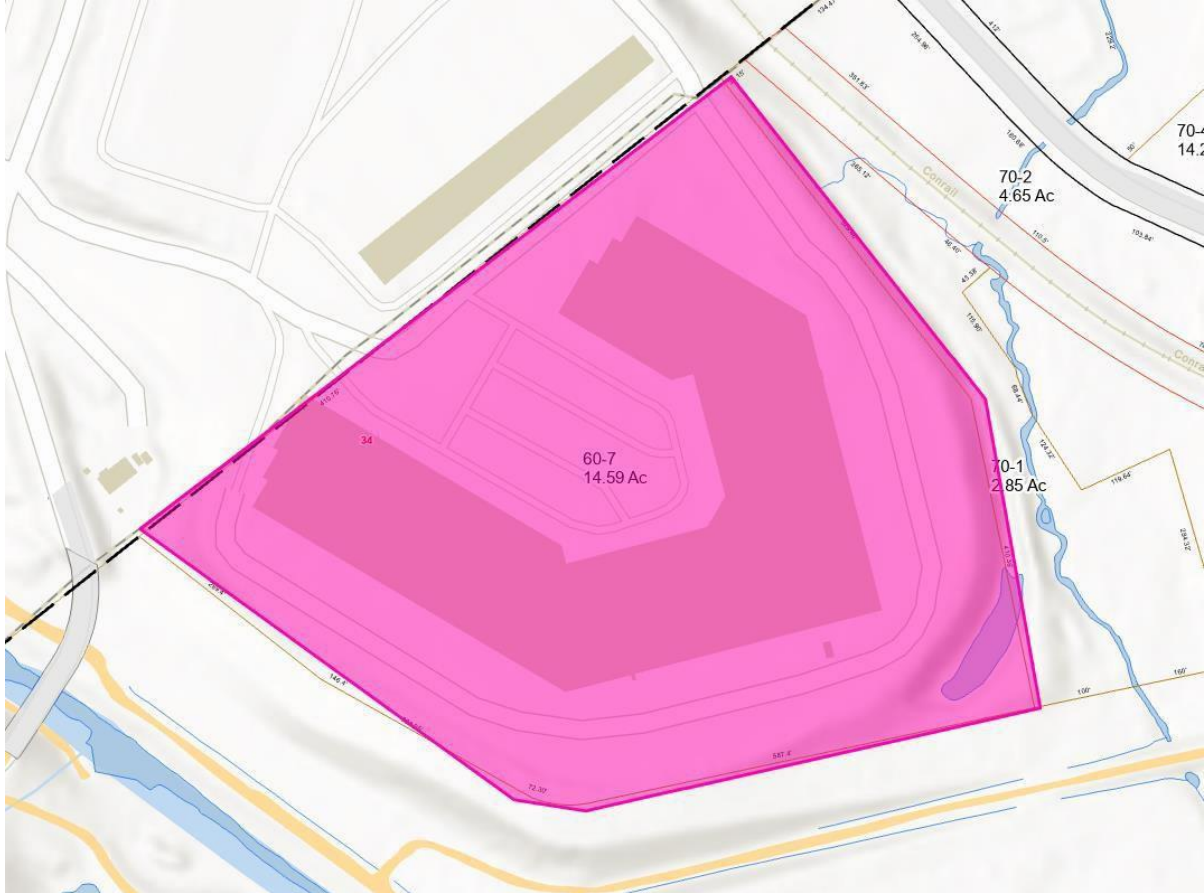
Data Metric	Area
District Name	Area 2
District Acreage (see note)	31.8
District Density Denominator (see note)	29.7
Final Unit Capacity per District	454
Density Unit per Acre	15.3
Parcel Acreage	31.8
Total Built Square Feet	1,187,104
Total Units in Station Area	0
Non-Conforming Parcels	1
Total Excluded Land (sf)	203,528
Total Open Space (sf)	367,268
Total Parking Area (sf)	593,552
Units Forgone due to Unit Cap in Zoning	0.00



District 3: St. Martin Drive

14.6 Acres

- 34 St. Martin Drive



Modeled District 3- St. Martin Dr. Results

Data Metric	Area
District Name	Area 3
District Acreage (see note)	14.4
District Density Denominator (see note)	14.4
Final Unit Capacity per District	217
Density Unit per Acre	15.0
Parcel Acreage	14.4
Total Built Square Feet	603,678
Total Units in Station Area	0
Non-Conforming Parcels	0
Total Excluded Land (sf)	0
Total Open Space (sf)	125,766
Total Parking Area (sf)	301,839
Units Forgone due to Unit Cap in Zoning	0.00



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What Happens if Southborough Votes Down?

Compliance with the law is mandatory by 12/31/24.

Voting “No” will come with a cost; we will hold another STM before 12/31/24

An MBTA community that fails to comply with this section shall not be eligible for funds from:

- The Housing Choice Initiative
- The Local Capital Projects Fund established in section 2EEEE of chapter 29; or
- The MassWorks infrastructure program established in section 63 of chapter 23A
- Non-compliance will be part of the consideration for any grant the Town may seek from the State

Potential Costs

- Lose access to certain state grants
- Potential threat of legal action from AG



Approval Requires 50% of The Town to VOTE YES



The **Attorney General** has reviewed our proposed bylaw and we have incorporated those slight edits



The **EOHLC (state agency)** has collaborated closely with the Planning Board to ensure the **districts selected and bylaw meet the objective of the law**



The **Select Board** and **SHOPC** have voted to approve

