

MBTA Communities DRAFT Final Package

Town of Winthrop
Mass Housing Partnership MBTA Communities Technical Assistance



Agenda

June 2023 DRAFT Final Package

1. Background

- a. What is the MBTA Communities Act?
- b. Winthrop Criteria for Compliance
- c. Winthrop Existing Zoning

2. Candidate Subdistricts

- a. Overview
- b. Goals
- c. Proposed Shirley St Subdistrict
 - i. Flood Zone Extents
 - ii. Base Flood Elevation
- d. Proposed Winthrop Center/CBD Subdistrict
- e. Proposed Main & Revere Subdistrict

3. Potential Zoned Capacity & Compliance Check



What is the MBTA Communities Act?

High-Level Overview

- Also known as “Section 3A” (*Mass. General Laws c.40A §3A*)
- Requires communities with MBTA rail access (or adjacent to MBTA rail access) to have at least one zoning district which permits **multi-family** development **as of right**

3+ units

“development may proceed without the need for a special permit, variance, amendment, waiver, or other discretionary approval”

- **No required ground floor commercial**
- **No restrictions on**
 - **Age**
 - **Number or size of bedrooms**
 - **Number of occupants**

What is the MBTA Communities Act?

The Role of Site Plan Review

Site Plan Review and Approval is allowed, within reason.

For an as-of-right project that complies with applicable dimensional regulations:

Site Plan Review can regulate:

- Vehicular access and circulation on a site,
- Architectural design of a building, and
- Screening of adjacent properties.

Site Plan Review cannot:

- **Unreasonably delay a project**
- **Impose conditions that make it infeasible or impractical to proceed with a project**

Source: <https://www.mass.gov/info-details/section-3a-guidelines>

Attorney General's Advisory

Town Obligations Under State Law

“Compliance with the MBTA Communities Zoning Law is not only mandatory, it is an essential tool for the Commonwealth to address its housing crisis along with our climate and transportation goals,” said AG Campbell.

Failure to comply with the Housing Choice Law may result in:

- Civil enforcement action or liability under Federal and State fair housing laws, as well as State antidiscrimination law
- Loss of funds from the Housing Choice Initiative
- Loss of funds from the Local Capital Project Fund
- Loss of funds from the MassWorks Infrastructure Program

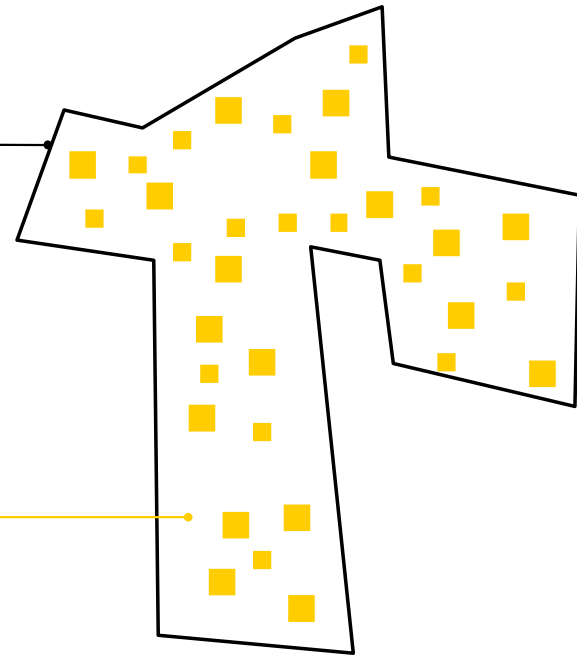
What does this mean for Winthrop?

District Size

≥ 12 acres (can be split across multiple subdistricts)
At least 50% of district area must be in one contiguous area

District Density

≥ 15 units per acre



Winthrop Criteria for Compliance

1A. District Shape & Size

- Contiguity standards: one contiguous subdistrict area must contain $\geq 50\%$ of total district land area
- Minimum total district(s) area: **12 acres**
- Gross density requirement: **15 units/acre**
Some individual subdistricts may be less dense than 15 units/acre as long as all subdistricts calculated together are at least 15 units/acre.

1B. Zoning Standards

Allowable zoning parameters include (for example):

- Setbacks
- Stories & height limits
- Parking requirements
- Units per parcel
- Units per acre
- Minimum/Maximum lot size

2. Multi-Family Unit Capacity

882 units

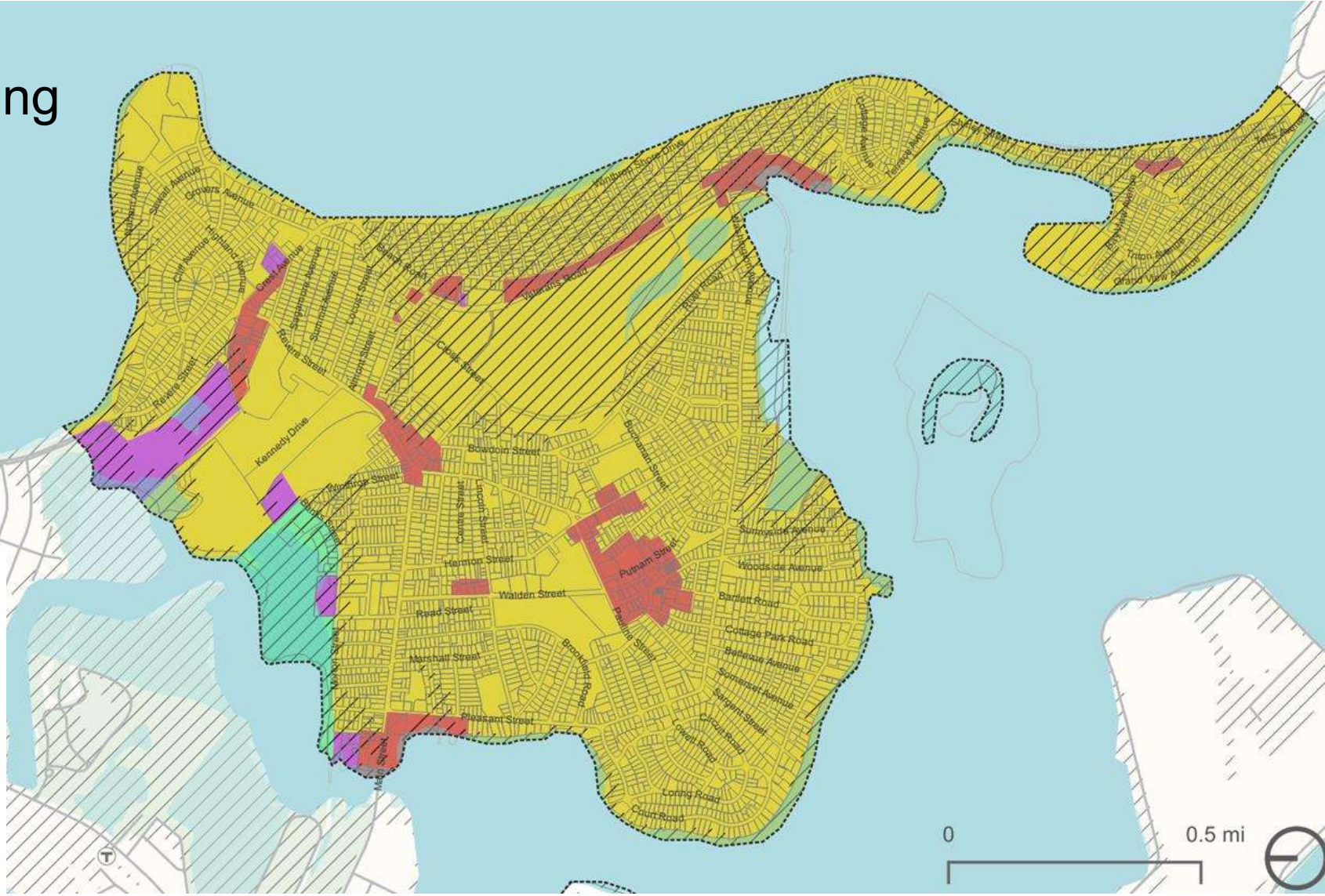
NOTE: this is a theoretical zoned capacity using the State calculation method. This is not a requirement to build a certain number of units, and has no relationship to existing units.

For more information on Section 3A requirements, including key definitions, see:

- <https://www.mass.gov/doc/compliance-guidelines-for-multi-family-zoning-districts-under-section-3a-of-the-zoning-act/download>
- <https://www.mass.gov/info-details/multi-family-zoning-requirement-for-mbta-communities>
- <https://www.mass.gov/doc/advisory-concerning-enforcement-of-the-mbta-communities-zoning-law/download>

Existing Zoning

-  FEMA Flood Zone
- Zoning Districts**
-  Business A
-  Center Business
-  Conservation District
-  Light Manufacturing
-  Residential A
-  Residential B
-  Residential C

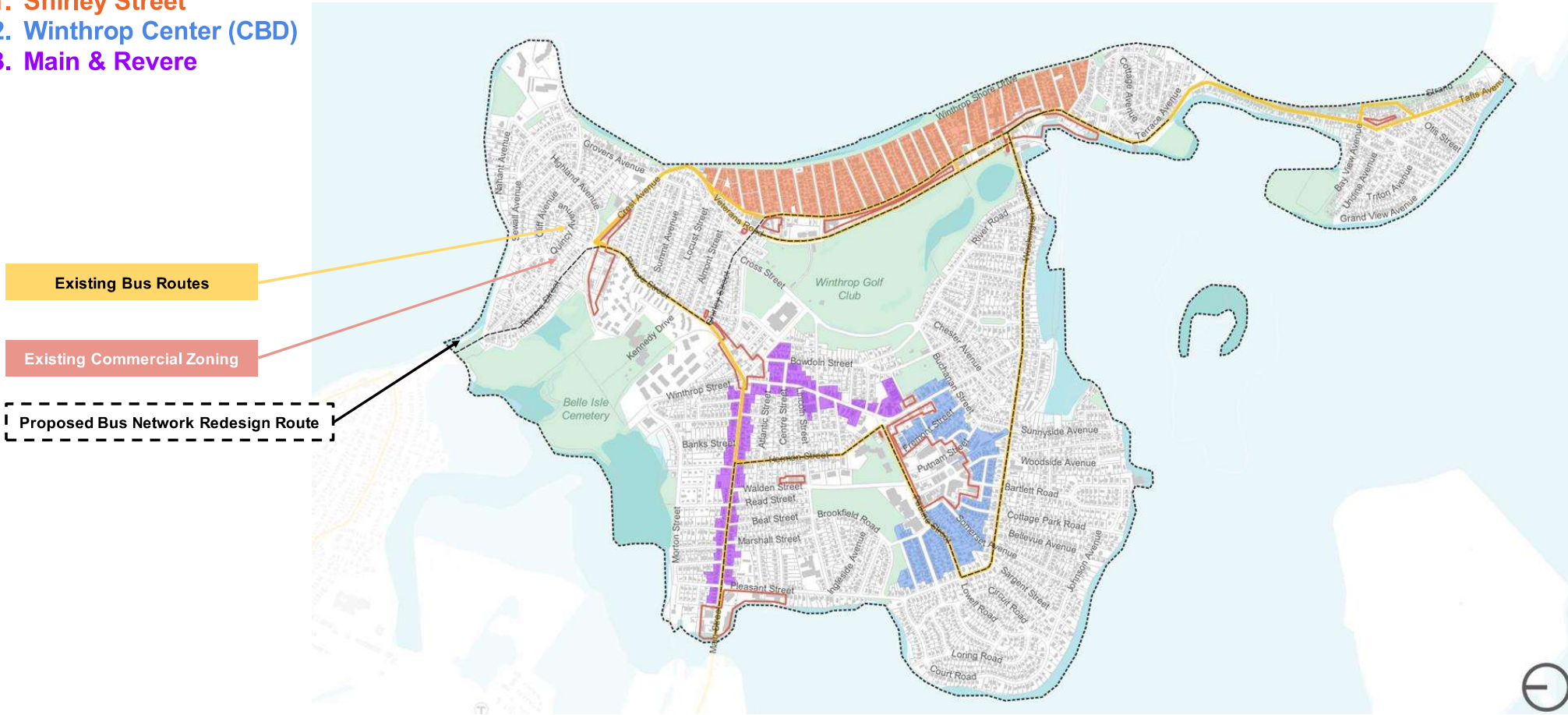


Candidate Subdistricts

MBTA Communities compliant zoning district candidates for consideration

Candidate Districts

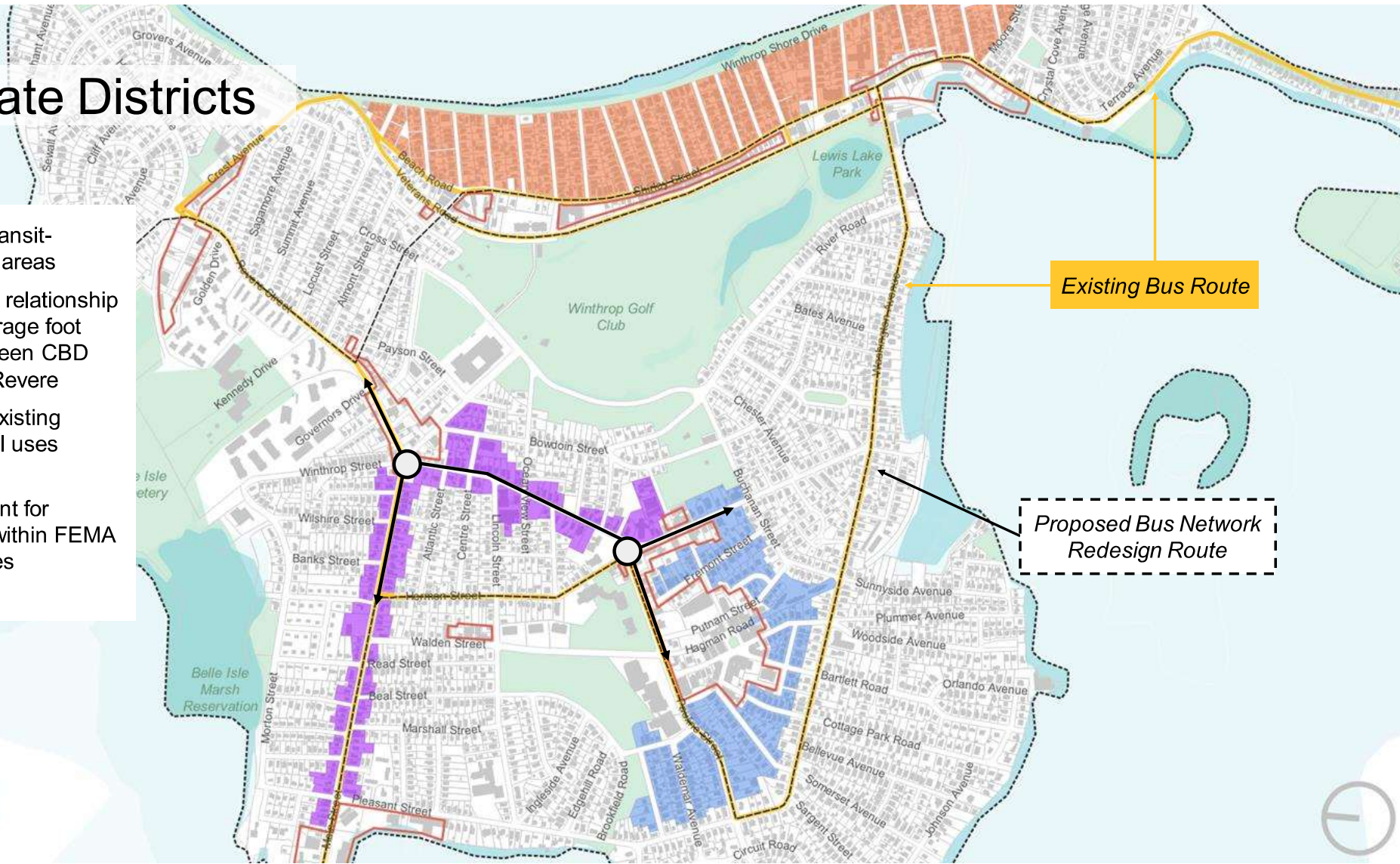
- 1. Shirley Street
- 2. Winthrop Center (CBD)
- 3. Main & Revere



Candidate Districts

Goals

1. Prioritize transit-accessible areas
2. Strengthen relationship and encourage foot traffic between CBD and Main/Revere
3. Preserve existing commercial uses
4. Encourage reinvestment for resilience within FEMA Flood Zones



Shirley St



Typical Current Setbacks:

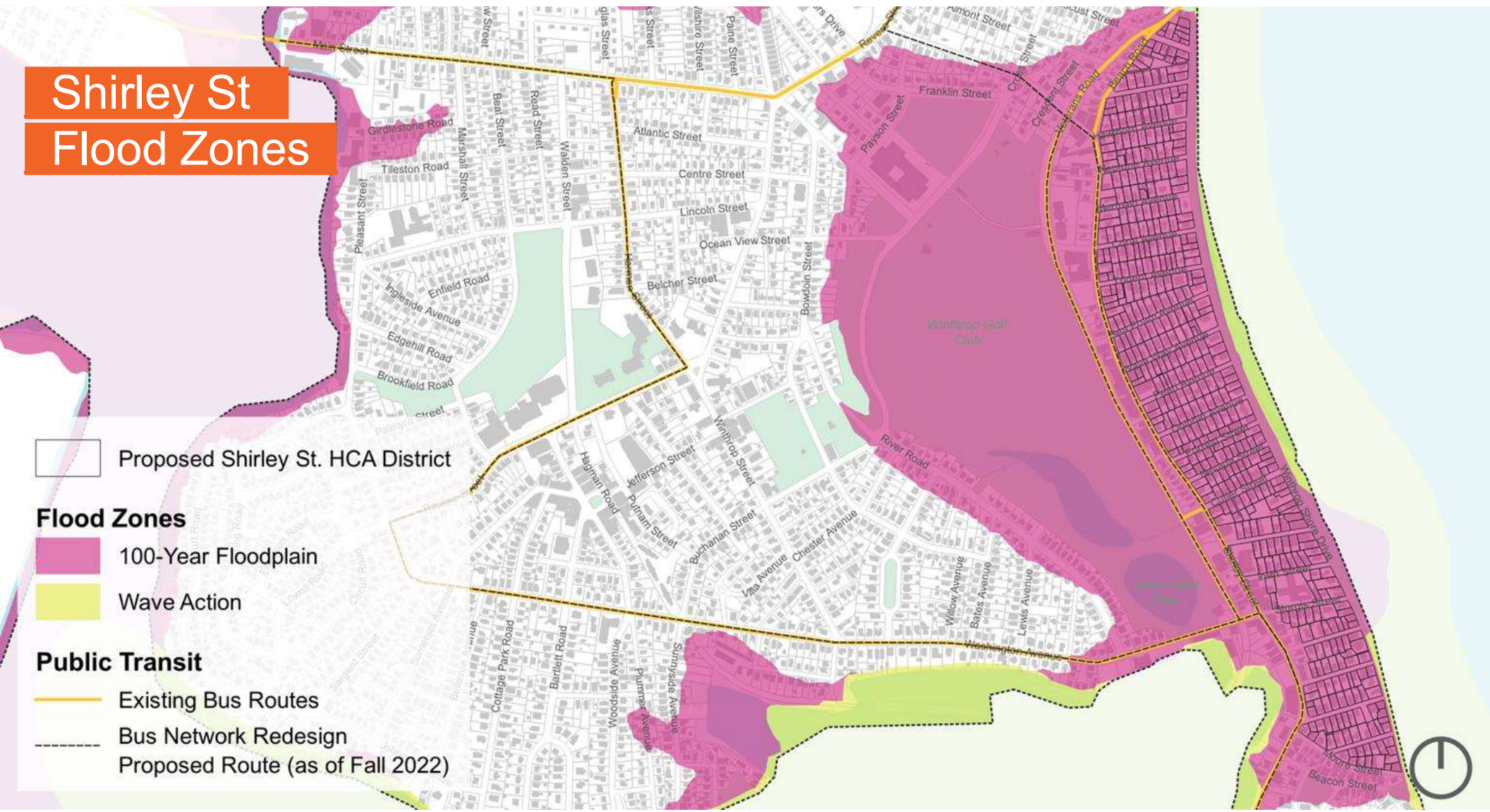
- Front: 10' to 20' (15' typ.)
- Side: 2' to 20' (10' typ.)
- Rear: 0' to 55' (25' typ.)

Median Parcel Size: 4,500 sf

Note: This is an example for illustrative purposes only. Unit counts, district boundaries, and acreage calculations are estimates subject to change.


Shirley St Flood Zones

-  Proposed Shirley St. HCA District
- Flood Zones**
-  100-Year Floodplain
-  Wave Action
- Public Transit**
-  Existing Bus Routes
-  Bus Network Redesign Proposed Route (as of Fall 2022)





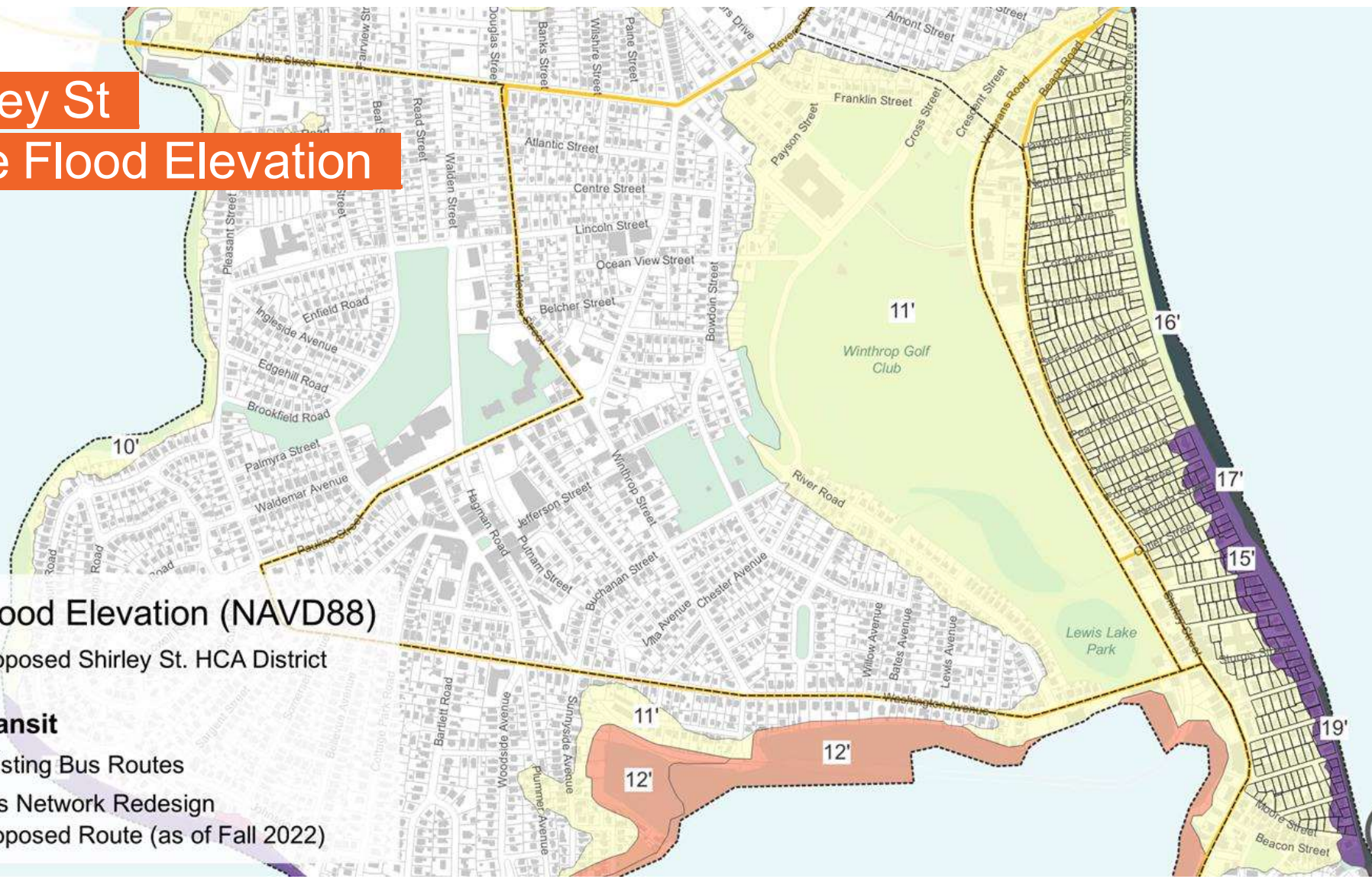
Shirley St Base Flood Elevation

Base Flood Elevation (NAVD88)

 Proposed Shirley St. HCA District

Public Transit

-  Existing Bus Routes
-  Bus Network Redesign Proposed Route (as of Fall 2022)



Winthrop Center

Existing Commercial Zoning

Typical Current Setbacks:

- Front: 6.5' to 25' (15' typ.)
- Side: 0' to 10' (5' typ.)
- Rear: 8' to 100' (20' typ.)

Median Parcel Size: 5,000 sf

Existing and Proposed Bus Network Redesign Bus Route

Note: This is an example for illustrative purposes only. Unit counts, district boundaries, and acreage calculations are estimates subject to change.

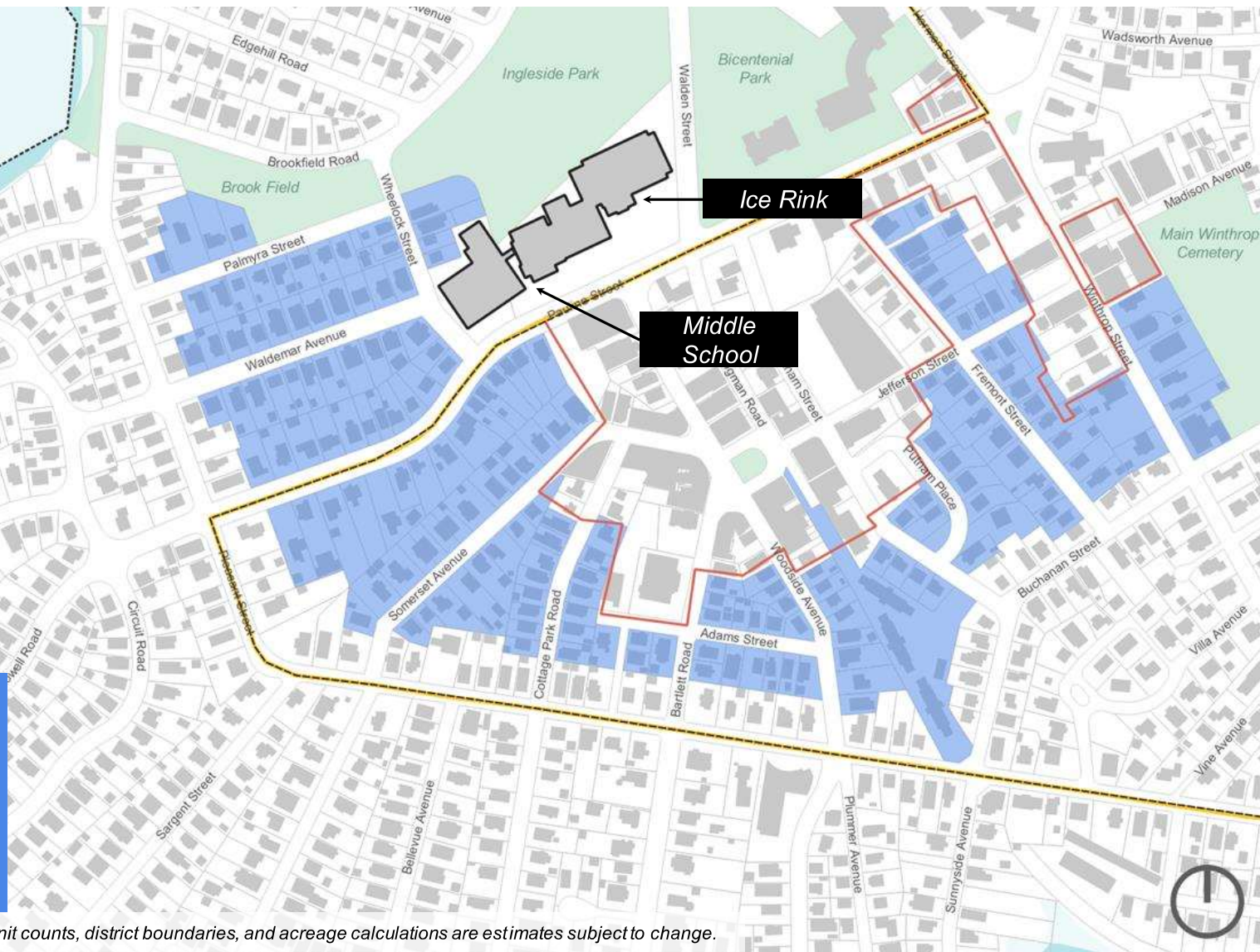
Winthrop Center

Typical Current Setbacks:

- Front: 6.5' to 25' (15' typ.)
- Side: 0' to 10' (5' typ.)
- Rear: 8' to 100' (20' typ.)

Median Parcel Size: 5,000 sf

Note: This is an example for illustrative purposes only. Unit counts, district boundaries, and acreage calculations are estimates subject to change.



Main & Revere

Existing Commercial Zoning

- Typical Current Setbacks:
- Front: 0' to 30' (15' typ.)
 - Side: 0' to 15' (10' typ.)
 - Rear: 3.5' to 75' (20' typ.)

Existing Bus Route

Proposed Bus Network Redesign Route

High School

Note: This is an example for illustrative purposes only. Unit counts, district boundaries, and acreage calculations are estimates subject to change.

Compliance Check

Potential Zoned Capacity & Evaluation Against Compliance Criteria

Potential Zoned Capacity & Compliance Check

Candidate District Name	Existing Density	Max Stories	Proposed Min. Setbacks	Min. Parking Spaces per Unit	Max. Units per Acre	Modeled Multifamily Unit Capacity	District Acreage	Modeled District Density
Shirley St	18.5 units/acre	3 stories	Front: 15' Sides: 10' Rear: 25'	1	27	995 units	57 acres	17.5 units/acre
Winthrop Center (CBD)	14 units/acre	3.5 stories	Front: 15' Sides: 5' Rear: 20'	1	27	535 units	29 acres	20.2 units/acre
Main & Revere	12.5 units/acre	3.5 stories	Front: 15' Sides: 10' Rear: 20'	1	27	568 units	28 acres	20.4 units/acre
CURRENT TOTALS						2,098 units	114 acres	18.5 units/acre
COMPLIANCE TARGETS						≥ 882 units	≥ 12 acres	≥ 15 units/ acre
Does one contiguous district contain ≥ 50% of total district land area?						Yes. Shirley St = 57 acres / 114 Acres = 50%		

Potential Zoned Capacity & Compliance Check

Candidate District Name	Existing Density	Max Stories	Proposed Min. Setbacks	Min. Parking Spaces per Unit	Max. Units per Acre	Max. Units per District	Modeled Multifamily Unit Capacity	District Acreage	Modeled District Density
Shirley St	18.5 units/acre	3 stories	Front: 15' Sides: 10' Rear: 25'	1	27	n/a	995 units	57 acres	17.5 units/acre
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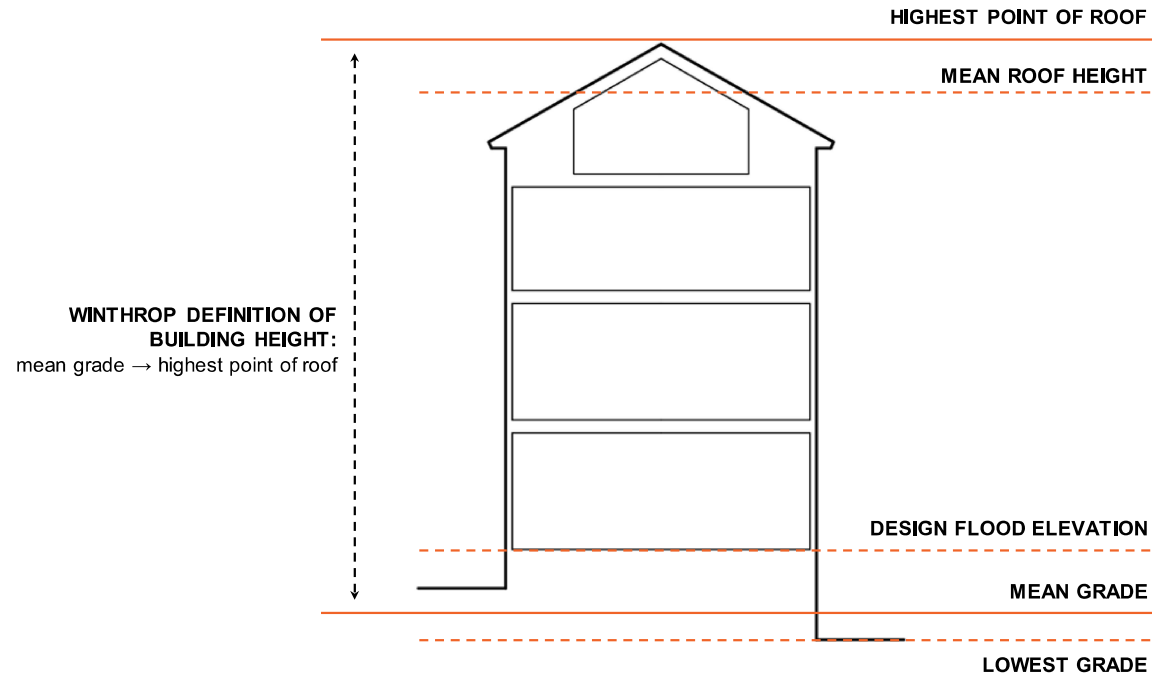
Defining Zoning Parameters

Measuring & Defining Building Height

Defining Height

In Winthrop, building height is measured from mean finished grade adjoining the building to the highest point of the roof.

Winthrop may want to consider modifying the definition of height to allow it to be measured from mean grade or the FEMA Design Flood Elevation up to the mean roof height.

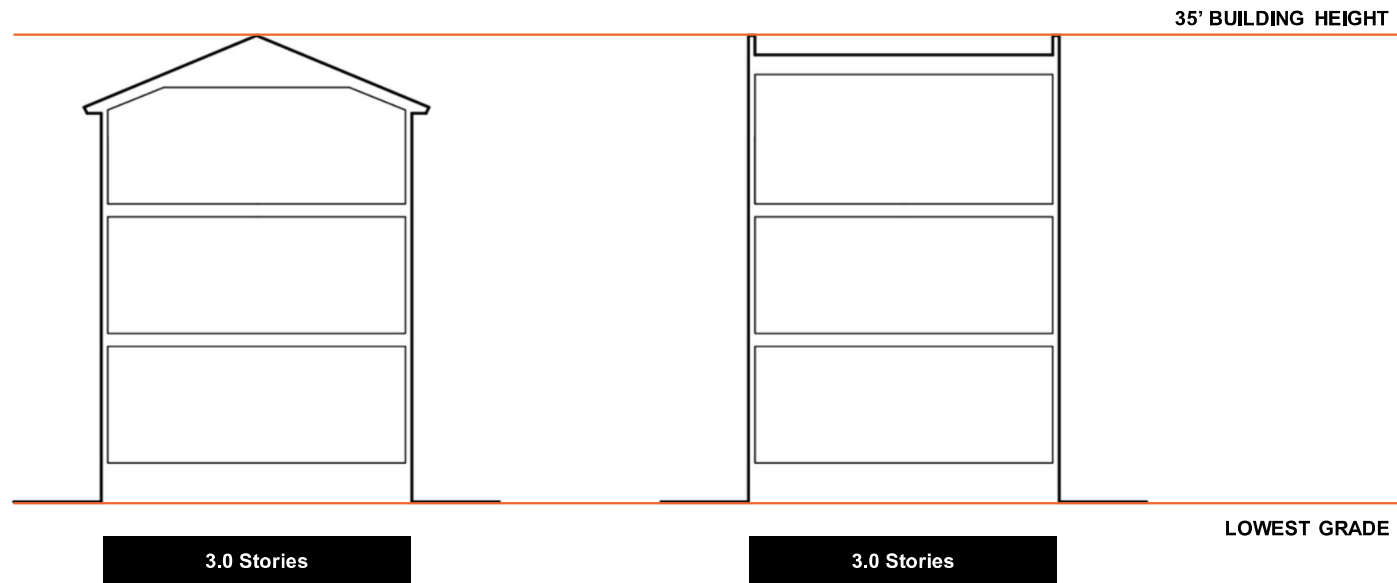


Relationship of Height vs. Stories

Sectional Studies - 35'

These diagrams assume the most restrictive definition of height - from the lowest grade to the highest point of the roof.

This shows the number of stories and amount of living space can be fit within a **35' maximum building height** with the most restrictive definition of height.

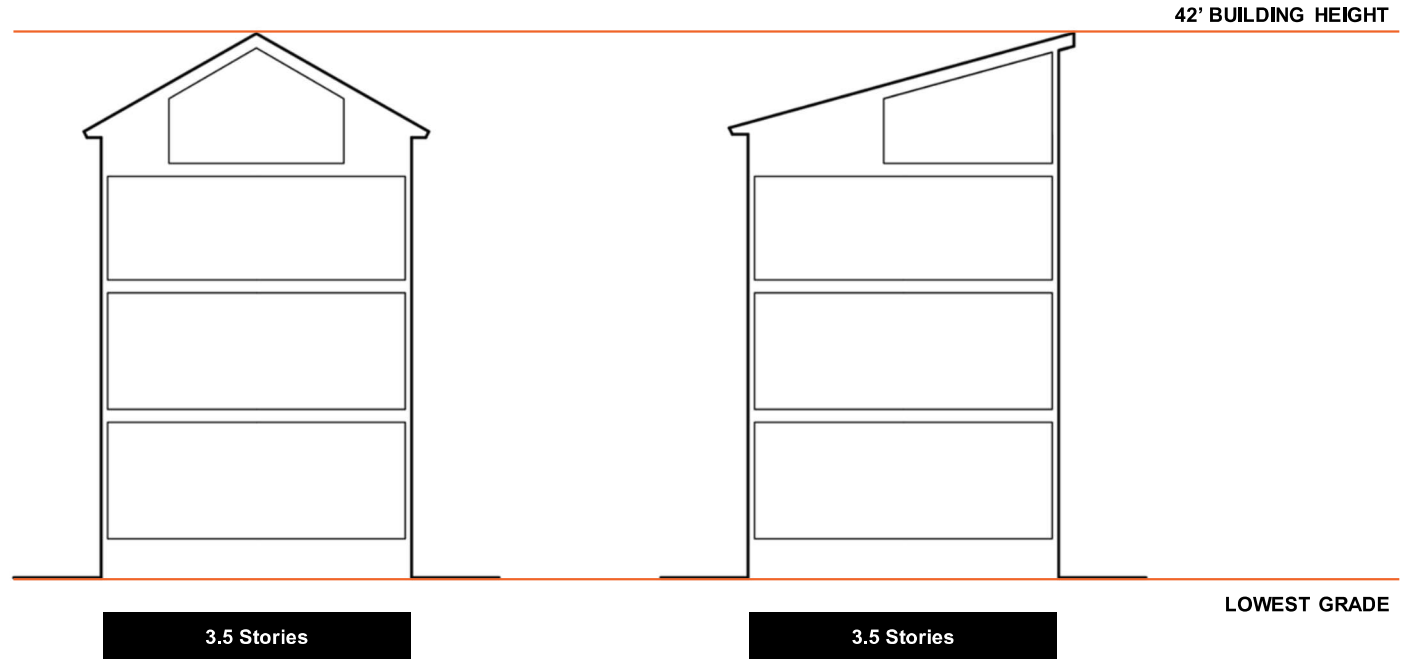


Relationship of Height vs. Stories

Sectional Studies - 42'

These diagrams assume the most restrictive definition of height - from the lowest grade to the highest point of the roof.

This shows the number of stories and amount of living space can be fit within a **42' maximum building height** with the most restrictive definition of height.

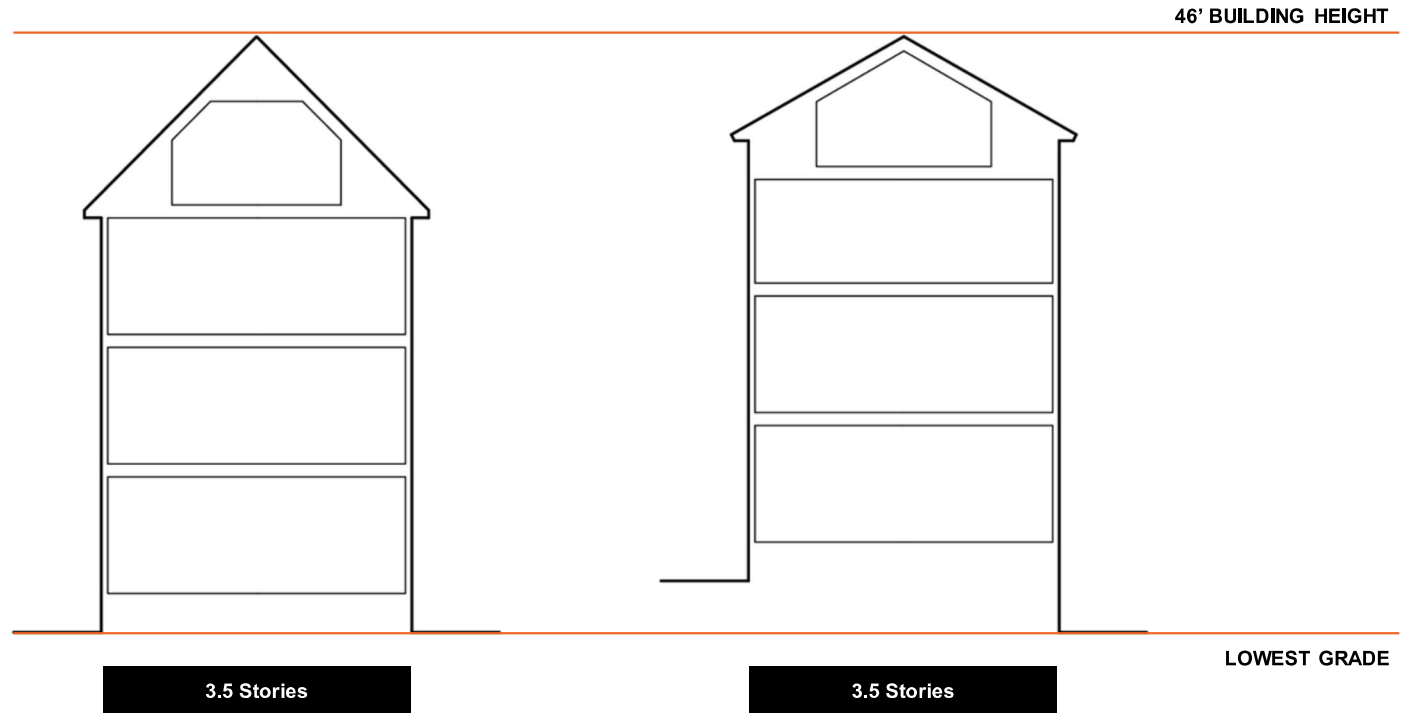


Relationship of Height vs. Stories

Sectional Studies - 46'

These diagrams assume the most restrictive definition of height - from the lowest grade to the highest point of the roof.

This shows the number of stories and amount of living space can be fit within a **46' maximum building height** with the most restrictive definition of height.



Decisions & Next Steps

COMPLETED

1. Develop MBTA Communities Compliant District boundaries
2. Develop zoning parameters for each subdistrict of the MBTA Communities Compliant District

REMAINING STEPS

1. Conduct public outreach and education to build support and identify any revisions needed to District boundaries or zoning parameters.
2. Incorporate any revisions resulting from public outreach.
3. Draft zoning bylaw for MBTA Communities compliant district
Optional: draft zoning update proposals for any separate but complementary Town zoning updates that are responding to issues raised in this planning process (e.g. building height definition, commercial district upzoning)
4. Pass zoning bylaw via a simple majority vote (>50%) of Town Council
Optional: pass other zoning update proposals (generally via a 2/3 vote of Town Council)
5. Develop Final Package for Submission to State to Achieve Compliance

Thank You!

