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SPONSORED BY: Kassandra Gove **BILL No. 2024-098**
Kassandra Gove, Mayor
Pamela K. Gilday
Pamela Gilday, Councilor, District 1

An Ordinance to amend the Amesbury Zoning Ordinance and Zoning Overlay District Map to add zoning regulations in compliance with Section 3A of MGL c. 40A also known as the “MBTA Communities Act,” and to establish an Overlay District where multi-family housing development projects pursuant to these regulations shall be allowed within the City.

Summary: Section 3A of MGL c. 40A requires an MBTA community to have a zoning ordinance that provides for at least one (1) district of reasonable size in which multi-family housing is permitted as of right; provided, however, that such multi-family housing is without age restrictions and is suitable for families with children. Such district must meet requirements set forth in this statute, including but not limited to the following: (i) have a minimum gross density of fifteen (15) units per acre, subject to any further limitations imposed by Section 40 of Chapter 131 and title 5 of the state environmental code established pursuant to Section 13 of Chapter 21A; and (ii) be located not more than 0.5 miles from a commuter rail station, subway station, ferry terminal or bus station, if applicable.

“MBTA community” is defined by reference to Section 1 of MGL c. 161A. Pursuant to the provisions of Section 3A of MGL c. 40A, City of Amesbury is an Adjacent Community and is required to comply with this statute by December 31, 2024. District Compliance is achieved when Amesbury has adopted a multi-family zoning district that meets all the requirements of the compliance guidelines and is certified by the Executive Office of Housing and Livable Communities (EOHLC).

This zoning amendment proposes to establish an overlay district over a portion of the Office Park (OP) zoning district in an area along Elm Street to comply with the requirements of Section 3A of MGL c. 40A and to add a new section in the Amesbury Zoning Ordinance outlining the requirements for review and approval of multi-family projects within the boundaries of this overlay district.

Be it Ordained by the City Council of the City of Amesbury assembled and by the authority of the same, as follows:

- 1. Add new Section XI.V – MBTA Communities Multi-family Overlay District (MFOD)**

Amend the existing Amesbury Zoning Ordinance by adding new Section XI.N entitled Multi Family Overlay District (MFOD)” that establishes an Overlay District to allow multi-family residential development under Section 3A of MGL c. 40A. The provisions of this new section are attached hereto in document entitled “**MBTA Zoning Ordinance – Amesbury dated 5.18.2024.**”

2. Amend Section III

Amend table in Section 3.1.2 Overlay Districts by adding in alphabetical order the following overlay districts:

<u>Full Name</u>	<u>Section of Bylaw</u>	<u>Short Name</u>
Golden Triangle Multi-family Overlay District	Section XI.V	GT-MFOD
East End Smart Growth Overlay District	Section XI.Q	EE-SGOD

3. Amend the Zoning Overlay District Map

Amend the Zoning Overlay District Map by adding the **Golden Triangle Multi-family Overlay District (GT- MFOD)** and the sub-districts as shown on **Exhibit MBTA-01, GT-MFOD showing Sub-Districts** of the proposed new Section XI.V attached hereto.

Section XI.V: MBTA Communities Multi-family Overlay District

1.0 Purpose

The purpose of the MBTA Communities Multi-family Overlay District (MFOD) is to allow multi-family housing as of right in accordance with Section 3A of the Zoning Act (Massachusetts General Laws Chapter 40A), and to foster a range of housing opportunities to be proposed in a distinctive and attractive site development program that promotes compact design, preservation of open space, and a variety of transportation options, including enhanced pedestrian access to employment and nearby transportation systems. Other objectives of this Section are to:

- 1.1 Promote the public health, safety, and welfare by encouraging a diversity of housing opportunities;
- 1.2 Provide for a full range of housing choices for households of all incomes, ages, and sizes in order to meet the goal of preserving Amesbury unique community character;
- 1.3 Increase the production of a range of housing units to meet existing and anticipated housing needs;
- 1.4 Provide a streamlined mechanism by which residential development can contribute directly to increasing the supply and diversity of housing;
- 1.5 Establish requirements, standards, and guidelines, and ensure predictable, fair and cost-effective development review and permitting;
- 1.6 Establish flexible development standards to allow context-sensitive design and creative site planning that protect neighborhood property values and enhance its unique natural, cultural and historic resources;
- 1.7 To encourage the permanent preservation of contiguous open space, scenic vistas, forested land, wildlife and rare species habitat, other natural resources and features, including aquifers, waterbodies, wetlands, and archeological resources, in a manner that is consistent with the current Master Plan and Open Space Plan;
- 1.8 To encourage a more efficient and compact form of development that consumes less open land and natural materials and conforms to existing topography and natural features in a manner more effective than a conventional development;
- 1.9 To implement requirements as an MBTA Community whereby the City is identified as an “Adjacent Community” pursuant to the “Compliance Guidelines for Multi-Family Zoning Districts Under Section 3A of the Zoning Act” (as amended)(“Compliance Guidelines”), and in a manner consistent with the City of Amesbury’s Action Plan for MBTA Communities, all as required under Section 3A of MGL c. 40A; and,
- 1.10 To create as of right zoning for multi-family housing, which in turn, will enable the City to be eligible for funds from grant and other assistance programs offered by the Commonwealth of Massachusetts.

2.0 DEFINITIONS.

For purposes of this Section XI.V, the following definitions shall apply. All capitalized terms shall be defined in accordance with the definitions established under the Governing Laws or Section 2.0 of the Amesbury Zoning Ordinance, as amended, or as set forth in the Planning Board (PB) Regulations. To the extent that there is any conflict between the definitions set forth in Section 2.0,

the PB Regulations, or other provisions within the Zoning Ordinance, and the Governing Laws, the terms of the Governing Laws and this Section XI.V shall govern.

For purposes of this Section XI.V, the following definitions shall apply:

- 2.1 **Affirmative Fair Housing Marketing Plan (AFHMP)** – A plan as defined under Section XI.Q.2.
- 2.2 **Affordable Homeownership Unit or Affordable Rental Unit** - as defined under Section XI.Q.2.
- 2.3 **Affordable Housing** – housing that is as defined under Section XI.Q.2.
- 2.4 **Affordable Housing Restriction** – a deed restriction as defined under Section XI.Q.2.
- 2.5 **Affordable Rental Unit** - an Affordable Housing unit as defined under Section XI.Q.2.
- 2.6 **Area Median Income (AMI)** –The median family income for the metropolitan statistical region that includes the City of Amesbury, as defined by the U.S. Department of Housing and Urban Development (HUD).
- 2.7 **Applicant** – A person, business, organization or other entity that applies for Site Plan Review, or Amended Site Plan Review, under this Section XI.V.
- 2.8 **As of right** – Development that can be allowed under this Section XI.V without the need for a special permit, variance, zoning amendment, waiver or other discretionary zoning approval.
- 2.9 **Building Area** – The aggregate of the maximum horizontal cross-section area of all buildings on a Lot exclusive of cornices, eaves, gutters, chimneys, unenclosed porches, bay windows, balconies, and terraces expressed as a percentage of total Lot area. Building Area does not include surface parking or other impervious surfaces.
- 2.10 **Civic Buildings** - One to two-story buildings or structures located within formal open space areas such as a pool house, clubhouse, meeting house, leasing office, or similar use.
- 2.11 **Common or Green** - A space for active and passive recreation and gathering purposes. A common or green is a free-standing site with thoroughfares on all sides and landscape consisting of naturally disposed lawns, paths, and trees.
- 2.12 **Community Garden or Farm** - A space designed as individual garden plots available to residents for urban agriculture purposes, including storage facilities for necessary equipment. Community gardens may be freestanding or incorporated as a subordinate feature of a community park, neighborhood park, or pocket park.
- 2.13 **Compliance Guidelines** – Compliance Guidelines for Multi-Family Zoning Districts Under Section 3A of the Zoning Act as further revised or amended from time to time.
- 2.14 **Department or DHCD** - the Massachusetts Department of Housing and Community Development, which, as of May 30, 2023, has been superseded by a new housing secretariat and organization known as the EOHLC which was created by Chapter 7 of the Acts of 2023, “An Act to Create The Executive Office of Housing and Livable Communities and to Rename the Executive Office of Economic Development,” and which became effective on May 4, 2023. For purposes of this Zoning Ordinance, the DHCD shall be known as the EOHLC.
- 2.15 **Design Standards** –The Design and Development Standards listed in Section 9.0 under this Section XI.V.

- 2.16 Developable Land Area** – The land area upon which multi-family buildings can be permitted and constructed. Developable land consists of: 1) all privately-owned land except lots, or portions of lots, that meet the definition of excluded land, and 2) developable public land.
- 2.17 Eligible Household** - an individual or household as defined under Section XI.Q.2..
- 2.18 EOHLIC** – the Executive Office of Housing and Livable Communities, the housing secretariat and organization within the Commonwealth of Massachusetts which was created by Chapter 7 of the Acts of 2023, “An Act to Create The Executive Office of Housing and Livable Communities and to Rename the Executive Office of Economic Development,” and which became effective on May 4, 2023, or any successor agency.
- 2.19 Excluded land** – Land that is not possible or practical to construct multi-family housing including the following: 1) all publicly-owned land, except for lots, or portions of lots, determined to be developable public land; 2) all rivers, streams, lakes, ponds, and other surface waterbodies; 3) all wetland resources areas, together with a 50 foot buffer zone around wetlands and waterbodies; 4) protected open space and recreational land that is legally protected in perpetuity; 5) all public or private rights-of-ways; 6) privately-owned land on which development is prohibited to protect private or public water supplies; and, 7) privately-owned land used for educational or institutional uses.
- 2.20 Governing Laws** – G.L. Chapter 40A, the State Zoning Act, as amended.
- 2.21 Greenway** - A linear open space that may follow natural corridors providing unstructured and limited amounts of structured recreation. A greenway may be spatially defined by landscaping rather than buildings. Its landscape shall consist of paths and trails, waterbodies, and trees, naturalistically disposed.
- 2.22 Gross density** – a units-per-acre density measurement that includes land occupied by public rights-of-way and any recreational, civic, commercial and other nonresidential uses.
- 2.23 GT-MFOD** – the Golden Triangle Multi-Family Overlay District established in accordance with this Section XI.V.
- 2.24 Housing Suitable For Families** -- housing comprised of multi-family residential dwelling units as defined in MGL c. 40A, Section 3A, shall supersede any other definition as described in the Zoning Ordinance which is inconsistent with the Governing Laws.
- 2.25 Large Neighborhood Park** - An area of natural, semi-natural, or planted space set aside for human enjoyment and recreation or for the protection of wildlife or natural habitats. A park may consist of grassy areas, trees and other natural or planted landscape features, and may also contain walking paths and trails, monuments, fountains, playground equipment, benches, picnic tables and similar amenities.
- 2.26 Linear Park** - A linear open space that is defined by buildings. Its landscape shall consist of grass, gardens, paths and trails, and trees, symmetrically spaced.
- 2.27 Lot** – An area of land with definite boundaries that is used or available for use as the site of a building or buildings or other uses allowed under this Section XI.V.
- 2.28 MBTA** – Massachusetts Bay Transportation Authority.
- 2.29 Multi-family housing** – a building with 3 or more residential dwelling units or 2 or more buildings on the same Lot with more than 1 residential dwelling unit in each building which is allowed as of right, and shall be Housing Suitable for Families as described in the Compliance Guidelines.

- 2.30 Multi-family Unit Capacity** – The total number of multi-family housing units that can be developed as-of-right within a multi-family zoning district.
- 2.31 Open Space, Community** - As applicable to the MBTA-MFOD, an open space area that is privately-or publicly owned, permanently protected, and dedicated for shared use as a formal or informal open space area. For greenways and other large informal park areas permanent deeded public access may be required where appropriate, to the City of Amesbury. Such areas must conform to the community open space types defined as formal or informal open space areas. Community open space may contain necessary surface stormwater management system improvements.
- 2.32 Open Space, Formal** – Community open space areas designed and designated for active recreational purposes or formal planted space edged with buildings or streets. Such uses include, but are not limited to, a linear park, squares, pocket park, playground, recreational field or court, civic building, or common or green.
- 2.33 Open Space, Informal** – Community open space areas designed and designated for passive recreational purposes or natural, semi-natural, or planted space set aside for human enjoyment and recreation or for the protection of wildlife or natural habitats including rain gardens, bioretention areas and other vegetated stormwater management facilities as provided in the latest edition of the Massachusetts Stormwater Handbook. Such uses include, but are not limited to, a large neighborhood park, greenway, or community garden or farm.
- 2.34 PB Regulations** – the rules and regulations of the Planning Board adopted pursuant to Section XI.V.
- 2.35 Planning Board** – See Site plan review authority.
- 2.36 Playground** - A community space designed and equipped for the recreation of children. A playground should be fenced and may include an open shelter. Playgrounds shall be interspersed within residential areas and may be placed within a block. Playgrounds may be included within parks and greens. The minimum size shall be 500 sq. ft.
- 2.37 Pocket Park** - A community space available for informal activities in close proximity to neighborhood residences. A pocket park is spatially defined by buildings. Its landscape shall consist of paths, lawns and trees, formally disposed. The minimum size shall be 500 sq. ft.
- 2.38 Project** - a development proposal undertaken in the MFOD in accordance with the requirements of this Section XI.V that consists solely of multi-family residential, and/or other uses and associated structures, including accessory uses such as parking, and other accessory uses, as further defined in Section 5.0.
- 2.39 Recreational Field or Court** - A publicly accessible open space designed and equipped for active recreation and organized sports. Playing fields and courts may include grass, artificial turf, clay, dirt, stone dust, concrete, asphalt, ice or other pervious or impervious materials to support various sporting events.
- 2.40 Residential dwelling unit** – A single unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking, and sanitation.
- 2.41 Section 3A** – Section 3A of the Zoning Act, G.L. c. 40A.
- 2.42 Site Plan Approval** - standards and procedures which are applied by the Planning Board to approve or disapprove Projects in the MFOD pursuant to Sections 11.1 below, and the Governing Laws.

- 2.43 **Site Plan Review** - standards and procedures through which Projects in the MFOD must be reviewed by the Planning Board pursuant to Sections 7.0 through 11.0 and Section XI.V.
- 2.44 **Site Plan Review Authority – or the Planning Board**, as the local permit granting authority responsible for reviewing Project applications and issuing Site Plan Approval decisions within the MFOD pursuant to this Section XI.V.
- 2.45 **Square** - A community space available for unstructured recreation and community purposes. A square is spatially defined by buildings. Its landscape shall consist of paths, ground cover and trees, formally disposed. Squares shall be located at the intersection of important streets. The minimum size shall be 1/8 acre.
- 2.46 **Subsidized Housing Inventory (SHI)** – a list of qualified Affordable Housing Units maintained by the EOHLC, used to measure a community's stock of low- or moderate-income housing for the purposes of M.G.L. Chapter 40B, the Comprehensive Permit Law.
- 2.47 **Zoning Act** – G.L. Chapter 40A, §§ 1-17, as amended, or the State Zoning Act.
- 2.48 **Zoning Ordinance** - the Zoning Ordinance of the City of Amesbury, as amended.

3.0 OVERLAY DISTRICT

3.1 Establishment: The City of Amesbury shall establish a Multi-Family Overlay District to allow multi-family housing pursuant to Section 3A of the Zoning Act, G.L. c. 40A, also known as the MBTA Communities Act. The Overlay District(s) is shown on the Overlay District Zoning Map and shall be further described below.

3.1.1 Golden Triangle: The Golden Triangle Multi-Family Overlay District, hereinafter referred to as the GT-MFOD and having a land area of approximately 64 acres in size is superimposed over the underlying zoning district(s) and is shown on the Overlay District Zoning Map entitled “Golden Triangle MBTA Communities Multi-family Overlay District,” prepared by the Office of Community and Economic Development (attached as Exhibit 1). This map is hereby made a part of the Zoning Ordinance and is on file in the Office of the City Clerk. The GT-MFOD contains two (2) subdistricts as follows:

- A. - Southern Multi-Family Neighborhood; and,
- B. - Northern Multi-Family Neighborhood.

4.0 APPLICABILITY OF MFOD.

4.1 Applicability of MFOD. An Applicant may seek development of a Project located within the MFOD in accordance with the provisions of the Governing Laws and this Section XI.V, including a request for Site Plan Approval by the Planning Board. In such case, notwithstanding anything to the contrary in the Zoning Ordinance, such application shall not be subject to any other provisions of the Zoning Ordinance unless otherwise provided in this Section XI.V.

4.2 Underlying Zoning and Other Provisions. The MFOD is an overlay district superimposed on all underlying zoning districts. The regulations for use, dimension, and all other provisions of the Zoning Ordinance governing the underlying zoning district(s)

shall remain in full force, except for those Projects undergoing development pursuant to this Section XI.V. Within the boundaries of the MFOD, a developer may elect either to develop a Project in accordance with the requirements of the MFOD under this Section XI.V in which case, the provisions of the MFOD shall govern, or to develop a project in accordance with requirements of the underlying zoning districts, but not both. Moreover, a Project undergoing development pursuant to this Section XI.V. shall not be subject to any other overlay districts described in the Zoning Ordinance except for the following provisions: (a) expressly incorporated by reference under Section XI.Q into this Section XI.V; (b) Section XI.G. Environmental Performance Standards; and, (c) Section XII. Wetlands and Floodplain Protection District.

4.3 Administration, Enforcement, and Appeals. The provisions of this Section XI.V shall be administered by the Building Commissioner, except as otherwise provided herein. Any appeal or other rights asserted and arising out of a Site Plan Approval decision by the Planning Board issued pursuant to this Section XI.V shall be governed by the applicable provisions of G. L. Chapter 40A.

4.4 Applicability and Other Zoning Districts. To the extent that a Project undergoing review pursuant to this Section XI.V is also required to be reviewed under Zoning Ordinance provisions other than Section XI.V, which would otherwise require a special permit, those other Zoning Ordinance provisions are hereby modified and/or waived such that no special permit shall be required under such provisions, but instead, the provisions shall be deemed performance standards whereby the Project would be permitted by right or waivable by the Planning Board.

5.0. Permitted Uses

5.1 Uses Permitted As of Right. The following uses are permitted as of right within the GT-MFOD.

5.1.1. Principal Uses -- The following uses are considered allowed as of right, subject to compliance with other provisions of this Section XI.V.

- (a) Multi-family housing provided that the minimum allowable as-of-right density requirements for multi-family residential use specified in Section 6.0 shall apply;

5.1.2 Accessory Uses -- The following uses are considered accessory as of right to any of the permitted uses in Section 5.1.a. within the MFOD:

- (a) parking, including surface parking, garage-under, and structured (i.e., parking garage);
- (b) marketing/rental office designed to serve residents and prospective residents;
- (c) exercise facility, pool or other recreational uses to be used exclusively for residents and their guests, such as a private Active Recreational Facility;
- (d) individual or shared remote work space exclusively for residents;
- (e) maintenance facilities to store equipment used to maintain the Project;
- (f) clubhouse, pool house, multipurpose facilities, or other similar civic or

- recreational space designed to exclusively serve residents and their guests; and,
- (g) other accessory uses customarily incidental to any of the permitted uses in Section 5.0.

5.2 Uses Allowed by Special Permit. The following uses and accessory uses require a Special Permit from the Planning Board, acting as the designated Special Permit Granting Authority:

5.2.1. Reserved.

5.3 Prohibited Restrictions and Uses.

5.3.1 The following restrictions on multi-family development are prohibited: restrictions on the minimum age of residents, limitations on the size of the dwelling units or the number of bedrooms, the size of bedrooms, and the number of occupants; limitations upon the issuance of building permits for residential uses related to a rate of development or phased growth limitation or to a local moratorium on the issuance of such permits or to other building permit or dwelling unit limitations, and, any other restriction prohibited by the Governing Laws; and,

5.3.2 Any use not otherwise authorized under this Section 5.0.

6.0 Dimensional and Density Requirements

6.1 Table of Dimensional Requirements for GT-MFOD. Notwithstanding anything to the contrary in this Zoning Ordinance, the dimensional requirements applicable in the GT-MFOD are as follows¹:

Sub-District ⁴	Min Lot Size (s.f.)	Min. Lot Frontage (feet)	Maximum Yards: Front (feet)	Min. Side (feet)	Min. Rear (Feet)	Maximum Height (feet)	Maximum Stories (# of stories) _s	Maximum Building Area	Minimum Community Open Space ²³
Northern Multi-Family Neighborhood	NA	NA	10	0	0	48	4	80	20
Southern Multi-Family Neighborhood	NA	NA	10	0	0	38	3	80	20

1 In the GT-MFOD, lots may have more than one principal building and more or less than one accessory structure.

2 For purposes of this Section secondary vehicular emergency access is permitted within a community open space area and it shall also be served by suitable pedestrian access for such purposes listed above, to the extent allowed under applicable laws. Utility easements and stormwater management systems serving the Project may be located within the minimum open space areas but in no case shall open detention or retention stormwater management areas exceed 30% of the required

formal open space areas. The Minimum Community Open Space area required under this Section 6.1 shall be subject to MGL 184, a recorded conservation restriction, or such other form of restriction or covenant reasonably acceptable to the Planning Board and enforceable by the City. Such restriction shall provide that such land shall be kept in an open state, preserved exclusively for the purposes set forth herein, and maintained in a manner which will ensure its suitability for its intended purposes.

3 Within each Sub-District, the total Community Open Space shall conform to the following Table – Minimum Community Open Space:

Minimum Community Open Space

Sub-District	Minimum Community Open Space <u>within</u> the Developable Land Area (%)	Minimum Formal Open Space <u>within</u> the Developable Land Area (%)	Maximum Informal Open Space <u>within</u> the Developable Land Area (%)	Minimum Community Open Space <u>outside</u> the Developable Land Area (%)
Northern Multifamily Neighborhood	20	65	35	90
Southern Multifamily Neighborhood	20	30	70	90

4 For purposes of this Section XI.V., primary or secondary vehicular and/ or pedestrian access shall be allowed to, from, through the Sub-Districts within the GT-MFOD, as described in Section 3.1.1. Such access shall be allowed to, from, and through properties located outside the GT-MFOD.

5 Under no circumstance shall multi-family buildings be less than two (2) stories.

6.2 Density requirements. Notwithstanding anything to the contrary in this Zoning Ordinance, the density requirements applicable in the GT-MFOD are as follows:

6.2.1 Multi-family residential dwelling units shall be permitted at a average gross density of fifteen (15) units per acre within the developable land area (excluding the required open space), within the GT-MFOD, subject to any further limitations imposed by section 40 of chapter 131 and title 5 of the state environmental code established pursuant to section 13 of chapter 21A, and as further described as follows. The following maximum overall gross density requirements within the two sub-districts shall be:

- a. Northern Multi-Family Neighborhood: 24 units per acre
- b. Southern Multi-Family Neighborhood: 6.5 units per acre

6.3 Total dwelling units per district and subdistrict. Notwithstanding anything to the contrary in this Zoning Ordinance, the total number of dwelling units permitted within the GT-MFOD shall be 400 units with the maximum total number of dwelling units per

sub-district as follows:

- 6.3.1. Northern Multifamily Neighborhood: 333 units; and,
- 6.3.2. Southern Multifamily Neighborhood: 100 units

7.0. SITE PLAN REVIEW OF PROJECTS: GENERAL PROVISIONS

7.1 Site Plan Review. An Application for Site Plan Review shall be an As-of-right review and approval process as required by and in accordance with the Governing Laws and shall be reviewed by the Planning Board for consistency with the purpose and intent of Sections 7.0 through 11.0.

7.2 Site Plan Review Authority. The Amesbury Planning Board shall be the Site Plan Review Authority and shall conduct the Site Plan Review process for purposes of reviewing Project applications and issuing Site Plan Approval decisions within the MFOD. Any reference to the Planning Board in or pursuant to this Section XI.V or in, or pursuant to, the PB Regulations shall mean in the Planning Board's capacity as the Site Plan Review Authority.

7.3 PB Regulations. The Planning Board may adopt administrative rules and regulations relative to Site Plan Review and Site Plan Approval.

7.4 Project Phasing. An Applicant may propose, in a Site Plan Review submission, that a Project be developed in phases, provided that the submission shows the full buildout of the Project in the subdistrict and all associated impacts as of the completion of the final phase, and subject to the approval of the Planning Board. Such submission shall include a preliminary site plan depicting all roadways, sidewalks, drainage and utility improvements required to support both the phased Project as well as the full buildout of the GT-MFOD.

7.5 Design Standards. To ensure that proposed development shall be of high quality and that the Project shall meet the standards listed in Section 9.0. The Planning Board shall follow the Design Standards governing Projects for Site Plan Review within the MFOD pursuant to Section XI.Q.10.e, except as otherwise provided in Section 9.0.

8.0 SITE PLAN REVIEW AND APPROVAL PROCEDURES

8.1 Pre-application. Prior to the submittal of a Site Plan Review application, a "Concept Plan" may be submitted to help guide the development of the definitive submission for Project buildout and individual elements thereof. Such Concept Plan should reflect the following:

- 8.1.1. Overall building envelope areas;
- 8.1.2. Open space and natural resource areas; and
- 8.1.3. General site improvements, groupings of buildings, and proposed land uses.

The Concept Plan is intended to be used as a tool for both the Applicant and the Planning Board to ensure that the proposed Project design will be consistent with the Design Standards.

- 8.2 Required Submittals.** An application for Site Plan Review shall be submitted to the Planning Board on the form provided by the Planning Board, along with application fee(s) which shall be as set forth in the PB Regulations. For any Project that is subject to the Affordability requirements of Section 10.0, the application shall be accompanied by all materials required under Section 10.0.
- 8.3 Filing.** An Applicant for Site Plan Review shall file the required number of copies of the application form and the other required submittals as set forth in the PB Regulations with the City Clerk and a copy of the application including the date of filing certified by the City Clerk shall be filed forthwith with the Planning Board.
- 8.4 Public Hearing and Circulation to Other Boards.** The Planning Board shall hold a public hearing for which notice has been given as provided in Section 11 of G.L. Chapter 40A. Upon receipt of the Application, the Planning Board shall immediately provide a copy of the application materials to the Municipal Council, Board of Appeals, Board of Health, Conservation Commission, Fire Department, Police Department, Building Commissioner, Department of Public Works, the Monitoring Agent (for any Project subject to the Affordability requirements of Section 10.0), and other municipal officers, agencies or boards as determined by the Planning Board for comment, and any such board, agency or officer shall provide any written comments within 60 days of its receipt of a copy of the plan and application for Site Plan Review.
- 8.5 Peer Review.** The Applicant shall be required to pay for reasonable consulting fees to provide peer review of the Site Plan Review application. Such fees shall be held by the City of Amesbury in a separate account and used only for expenses associated with the review of the Application by outside consultants, including, but not limited to, attorneys, engineers, urban designers, housing consultants, planners, and others. Any surplus of funds remaining after the completion of such review, including any interest accrued, shall be returned to the Applicant forthwith.
- 8.6 Infrastructure Improvements.** In no event shall the City of Amesbury be responsible for any expenses related to off-site infrastructure improvements (including but not limited to roads, pedestrian walkways, drainage, flood control, sewer, water, gas, and electric) due to the impact from the proposed Project and the Applicant shall be required to address these improvements as a condition of approval. All projects shall be designed so that stormwater runoff from the project site does not enter the municipal separate storm sewer (MS4) system. Notwithstanding the foregoing, the requirements herein do not preclude the City from voluntarily working with the Applicant and others to secure state, federal or other funding and/or other incentive programs designed to support Project and other infrastructure improvements.
- 8.7 Performance Bond.** The Board shall require a performance bond or surety to assure that the proposed improvements including, but not limited to, utilities, public amenities, landscaping and the site plan improvements are constructed as approved.
- 8.8 Inspections during Construction.** The Board may require the inspection of improvements as per approved site plan and shall require the Applicant to reimburse the Board for the reasonable costs for the services of the consultant.

9.0 DESIGN AND DEVELOPMENT STANDARDS

9.1 Adoption of Design and Development Standards. Any Project undergoing the Site Plan Review and Approval process shall be subject to the Design Standards for the MFOD as set forth below in this Section, unless a waiver is granted by the Planning Board. The Design and Development Standards are intended to be applied in a flexible manner in order to meet the goals and objectives of the MFOD as described under Section 1.0.

9.2 Purpose. The Design and Development Standards shall ensure that the physical character of Projects within the MFOD shall meet the following goals:

- 9.2.1. The Project will be generally consistent with the Comprehensive Housing Plan, 2004 Master Plan, Developable Land Plan, Conceptual Smart Growth Residential Density Plan, and any area specific plan(s), or any other plan document(s) adopted by the City of Amesbury;
- 9.2.2. The Project will provide for high-density quality development consistent with the character of building types, streetscapes, and other community features typically found in traditionally settled areas of the City of Amesbury;
- 9.2.3. The Project will be developed in a manner that is consistent with the environmental setting and protective of the natural resources within and around the Project, and
- 9.2.4. Within the GT-MFOD, the Project shall conform to the “Residential Pattern Book, The Golden Triangle, Amesbury,” dated April 30th, 2024, prepared by Union Studio Architecture & Community Design, Inc.”

9.3 Materials for Review. For purposes of Section XI.V, the terms: “Site Plan Review” and “Site Plan Approval” shall be substituted for “Plan Approval”; the term “Planning Board” shall be substituted for “PAA”; “PB Regulations” shall be substituted for “PAA Regulations”; and “MGL. c. 40A” shall be substituted for M.G.L. c. 40R” when the provisions of Section XI.Q. are incorporated by reference herein so as to be consistent with the Governing Laws. Unless stated otherwise, Applicants shall submit materials for review pursuant to Sections XI.Q.10.3. and XI.Q.10.4.

9.4 Development and Performance Standards. Building design shall be reviewed, unless stated otherwise, in accordance with the development and performance standards as outlined under Section XI.Q.10.5., to the extent applicable, by the Planning Board with input from City officials, including the Design Review Committee and any review consultant(s) employed by the Planning Board, and others as appropriate. Unless stated otherwise, the following design elements listed in this subsection are to be interpreted as building design standards to be applied by the Planning Board as appropriate to the situation under review, including factors such as foundation and soil characteristics, scenic views, and other extraordinary site constraints. To the extent the building design standards under Section XI.Q.10.5. conflict with the more specific design guidelines prescribed in the specific subdistrict below, the terms of the specific design guidelines shall govern.

9.4.1. Notwithstanding the foregoing:

- (a) Projects proposed within the AGV-SGOD and EE-SGOD shall be subject to the provisions of Section XI.Q.10.5.e;

(b) Projects proposed within the GT-MFOD shall conform to the “Residential Pattern Book, The Golden Triangle, Amesbury,” dated April 30th 2024, prepared by Union Studio Architecture & Community Design, Inc.,” as may be amended by the Amesbury Planning Board from time to time (collectively, the “GT-MFOD Residential Neighborhood Design”), but shall not be subject to Section XI.Q.10.a.4.b. and Section XI.Q.10.5.e.

(c) Projects proposed within the GT-MFOD shall conform to the sign requirements of Section VII, but shall not be subject to the sign provisions of Section XI.Q.10.5.n. In lieu of the foregoing, the Applicant may propose a sign master plan which provides for alternative signage for the Project, provided that such signage is consistent with the purposes of Section VII.1 (Purposes) and Section XI.V.

10.0 AFFORDABLE HOUSING REQUIREMENTS

10.1. General Requirements. Projects subject to the provisions of Section XI.V shall not be subject to the Affordable Housing Regulations under Section V.E. of the Zoning Ordinance but shall be required to provide Affordable Housing units within the Project pursuant to the provisions of Section XI.Q.6 unless otherwise provided in this Section 10.0.

10.1.1. Projects located within the GT-MFOD shall only be subject to the provisions of Sections XI.Q.6.2, XI.Q.6.4 through XI.Q.6.7 in addition to the other provisions described below; and,

10.1.2. Projects located within the AGV-SGOD or EE-SGOD, shall be subject to the provisions of XI.Q.6 and all other applicable provisions of G. L. Chapter 40R, 760 CMR 59.06;

10.2 Number of Affordable Housing Units. Except for Projects located in the AGV-SGOD or EE-SGOD, all other Projects within the MFOD shall require not less than ten percent (10%) of total housing units to be Affordable Housing units. For purposes of calculating the number of Affordable Housing units required within a Project, any fractional unit shall be rounded up to the next whole unit.

10.3 Submission Requirements: An application for Site Plan Review for a Project within the MFOD submitted under Section XI.V, shall be required to submit the following documents to the Planning Board and the Monitoring Agent:

10.3.1. An Affirmative Fair Housing Marketing Plan which is compliant with the requirements of the EOHLC policies and applicable state and federal laws;

10.3.2. Evidence that the Project complies with the cost and eligibility requirements of Section XI.Q.6.6.4:

10.3.3. Project plans that demonstrate compliance with the requirements of Section XI.Q.6.6.3 and Section XI.Q.6.6.5;

10.3.4. A form of Affordable Housing Restriction that satisfies the requirements of Section XI.Q.6.6.6; and,

10.3.5. Floor Plans that shall include details including, but not limited to, location, quantity and unit size related to units provided within the Project that are accessible to the disabled.

10.4 Age Restrictions. Nothing in this Section XI.V shall permit the imposition of restrictions on age upon a Project.

10.5 Phasing. For any Project that is approved and developed in phases in accordance with Section 11.4, the percentage of Affordable Housing units in each phase shall not be less than the minimum percentage of Affordable Housing required under Sections 10.2, as applicable. Unless otherwise explicitly approved in writing by EOHLC or required as a condition of an applicable state or federal housing subsidy program, where the percentage of Affordable Housing is not uniform across all phases, the unit dispersal and bedroom proportionality requirements under Section 10.5 shall be applied proportionately to the Affordable Housing provided for in each respective phase.

10.6 Monitoring Agent. For the purpose of reviewing and implementing the Affordability requirements affecting Projects under Section 10.0, the Office of Community and Economic Development, or other qualified housing entity designated by the Mayor, shall serve as the Monitoring Agent.

10.7 Waivers and Consistency With EOHLC Requirements. Notwithstanding anything to the contrary herein, the Affordability provisions in this Section 10.0 shall not be waived unless expressly approved in writing by the Planning Board and the EOHLC. To the extent any of the affordability provisions of this Section XI.V are inconsistent with the program requirements of the EOHLC, the provisions of the EOHLC shall govern.

11.0 SITE PLAN APPROVAL DECISIONS

11.1 Site Plan Approval. Site Plan Approval shall be granted where the Planning Board finds that:

- 11.1.1. The Applicant has submitted the required fees and information as set forth in the PB Regulations;
- 11.1.2. The Project as described in the application meets all of the requirements, criteria and standards set forth in Section XI.V., and the PB Regulations, or a waiver has been granted therefrom; and,
- 11.1.3. For a Project subject to the Affordability requirements of Section 10.0, compliance with condition 11.1.2 above shall include written confirmation by the Monitoring Agent that all requirements of that Section have been satisfied or that the Planning Board shall attach certain conditions to its approval to satisfy certain provisions of Section 10.

The Planning Board may attach conditions to the Site Plan Approval decision that are necessary to ensure substantial compliance with this Section XI.V.

11.2 Site Plan Review Disapproval. A Site Plan Review application may be disapproved only where the Planning Board finds that:

- 11.2.1. The Applicant has not submitted the required fees and information as set forth in the PB Regulations; or,
- 11.2.2. The Project as described in the application does not meet all of the requirements, criteria and standards set forth in Section 9.0, Design Standards for the specific MFOD.

11.3 Waivers. Upon the request of the Applicant, the Planning Board may waive dimensional and other requirements of Sections XI.V.6 through XI.V.10, in the interests of design flexibility and overall Project quality, and upon a finding of consistency of such variation with the overall

purpose and objectives of the MFOD, or if it finds that such waiver will allow the Project to achieve the density, affordability, mix of uses, and/or physical character allowable under this Section XI.V, and such waiver is consistent with the purposes of Section XI.V.1. and would not otherwise be in contravention of the Governing Laws.

11.4 Project Phasing. The Planning Board, as a condition of any Site Plan Approval, may allow a Project to be phased at the request of the Applicant, or it may require a Project to be phased to mitigate any extraordinary adverse Project impacts on nearby properties.

11.5 Form of Decision. The Planning Board shall issue to the Applicant a copy of its decision containing the name and address of the owner, identifying the land affected, and the plans that were the subject of the decision, and certifying that a copy of the decision has been filed with the City Clerk and that all plans referred to in the decision are on file with the Planning Board. If twenty (20) days have elapsed after the decision has been filed in the office of the City Clerk without an appeal having been filed or if such appeal, having been filed, is dismissed or denied, the City Clerk shall so certify on a copy of the decision. If a plan is approved by reason of the failure of the Planning Board to timely act, the City Clerk shall make such certification on a copy of the application. A copy of the final decision or application bearing such certification shall be recorded in the registry of deeds for the county and district in which the land is located and indexed in the grantor index under the name of the owner of record or recorded and noted on the owner's certificate of title. The fee for recording or registering shall be paid by the applicant.

11.6 Validity of Decision. A Site Plan Approval shall remain valid and shall run with the land indefinitely, provided that construction has commenced within three years after the decision is issued, which time shall be automatically extended by the time required to adjudicate any appeal from such approval and which time shall also be extended if the Project proponent is actively pursuing other required permits for the Project or there is other good cause for the failure to commence construction, or as may be provided in a Site Plan Approval for a multi-phase Project.

12.0 CHANGE IN PLANS AFTER APPROVAL BY PLANNING BOARD

12.1 Minor Change. After Site Plan Approval, an Applicant may apply to make minor changes in a Project involving minor utility or building orientation adjustments, or minor adjustments to parking or other site details that do not affect the overall buildout or building envelope of the site, or provision of open space, number of housing units, or housing need or affordability features. Such minor changes must be submitted to the Planning Board on redlined prints of the approved plan, reflecting the proposed change, and on application forms provided by the Planning Board. The Planning Board may authorize such changes at any regularly scheduled meeting, without the need to hold a public hearing. The Planning Board shall set forth any decision to approve or deny such minor change by motion and written decision, and provide a copy to the applicant for filing with the City Clerk.

12.2 Major Change. Those changes deemed by the Planning Board to constitute a major change in a Project because of the nature of the change in relation to the prior approved plan, or because such change cannot be appropriately characterized as a minor change as described above, shall be processed by the Planning Board as a new Application for Site Plan Review pursuant to Sections 7.0 through 9.0.

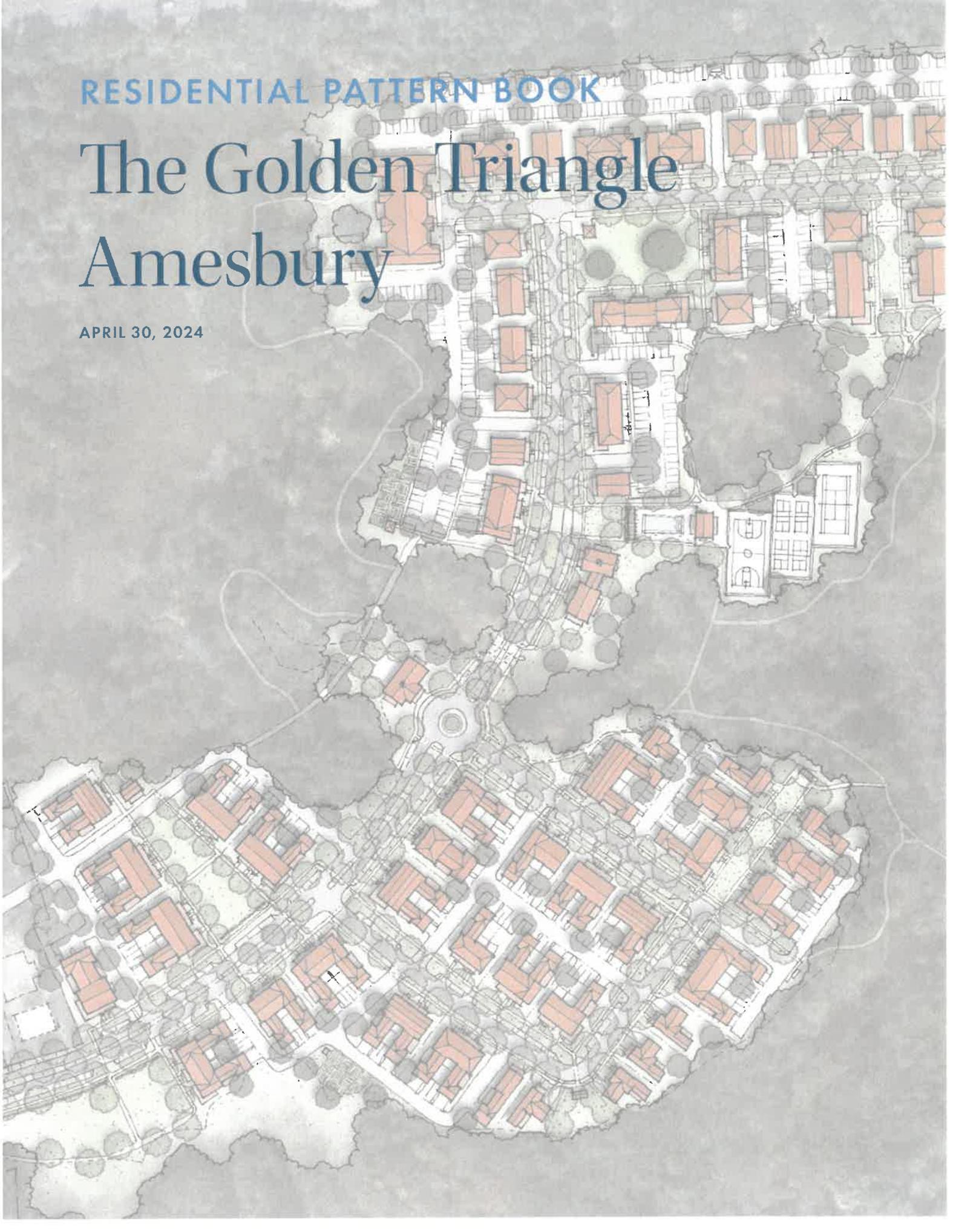
13.0 SEVERABILITY.

If any provision of this Section XI.V is found to be invalid by a court of competent jurisdiction, the remainder of Section XI.V shall not be affected but shall remain in full force. The invalidity of any provision of this Section XI.V shall not affect the validity of the remaining provisions of this Section XI.V.

RESIDENTIAL PATTERN BOOK

The Golden Triangle Amesbury

APRIL 30, 2024



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CONTENTS

4	Introduction	
	5	Overview & Purpose
	6	Location
	7	Neighborhood Vision & Intent
	9	Residential Buildings
	10	Civic Buildings & Amenities
11	Site Configuration and Site Elements	
	12	Street Design & Traffic Calming
	20	Site Configuration`
27	Traditional Scale and Massing	
	28	Massing
	34	Roofs
37	Building Elements and Materials	
	38	Foundations
	40	Exterior Walls
	42	Roofs
	48	Doors & Windows
	56	Building Entries
	62	Trim
	64	Chimneys
	66	Additional Resources

SECTION 1

Introduction

These standards and guidelines are a framework for ensuring a high standard of design for The Golden Triangle. The focus of these guidelines is on the siting of structures and architectural design elements for residential buildings.

OVERVIEW

Historically, Essex County developed as a series of compact village centers. The modest farming and fishing communities centered around civic and mill buildings located on creeks and rivers. The adjacent mixed-use centers were surrounded by compact residential districts a short walk away.

As a whole, Amesbury is scaled with traditional forms and proportions and is set up to provide a variety of settings and levels of activity. The center of the community is the most active with a mix of commercial, civic, and residential uses. The center is surrounded by compact residential neighborhoods clustered together in between natural features. This historic pattern should be continued to avoid the sprawling nature of auto oriented development that became briefly prominent in the mid-20th Century.

New development within the Golden Triangle should respect this existing context through its

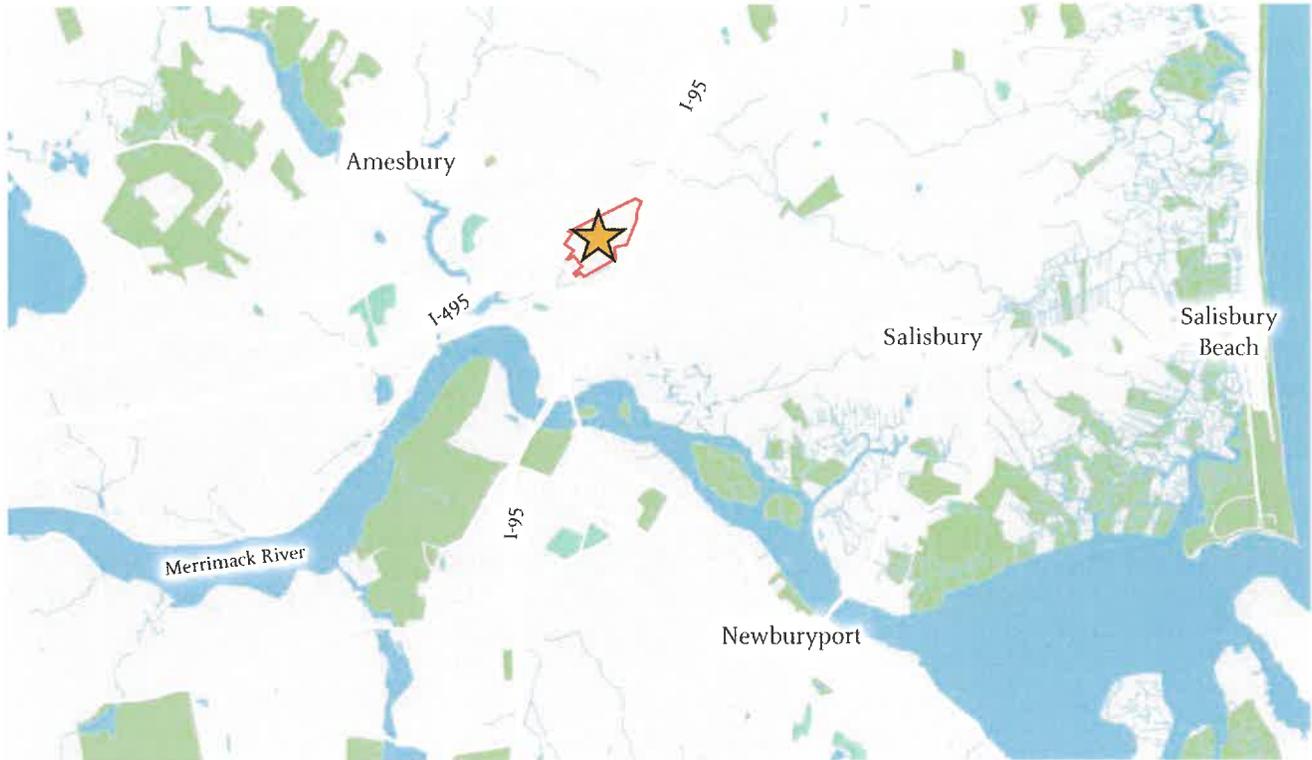
form, materials, and patterns. Elements of design will vary by building and building type. Careful consideration of the setting of a site within its context will be important to establishing the overall character of each area and the neighborhoods within.

These standards and guidelines are intended to be an essential guide for owners, builders, designers, and others who will be contributing to the development and growth of the Golden Triangle. The guidelines provide architectural direction that is largely traditional in nature. Preservation of the local vernacular through design and materials is fundamental to Amesbury's character. The intent of these guidelines is to provide an understanding of the local context of traditional Essex County and typical patterns of historic communities so that contemporary design can be incorporated effectively.



Amesbury Aerial Circa 1890

LOCATION



The series of parcels that have been assembled for this project have long been referred to as the “Golden Triangle”. The triangular form is due to its being situated at the confluence of interstates 95 and 495, with a series of neighboring properties along Elm Street forming its third edge. There is one location where the site does touch Elm Street, and as such this will serve as the primary access point to the new community.

The site is roughly a mile and a half southeast of the core of Amesbury. A portion of the site is actually in the adjacent town of Salisbury, but the upland areas where development is focused are all within the City of Amesbury. The site historically has included a mix of residential and agricultural uses but is a prime opportunity for redevelopment given its proximity to services, needed infrastructure, and transit options.

NEIGHBORHOOD VISION



The proposed community at the Golden Triangle is conceived of as two connected neighborhoods, with a civic center at their intersection where the existing wetlands create a natural pinch point. The overall community has been laid out considering principles of traditional neighborhood design:

- **Connected Network of Streets and Blocks:** Neighborhoods are organized as a network of walkable streets and blocks including shared rear lanes for parking and service needs.
- **Walkability:** Sidewalks, tree-lined streets, and places for resting and gathering are essential in residential neighborhoods.
- **Diverse Housing Types:** Provide a range of housing types to serve the needs of a wide range of households and incomes.
- **Local Character:** In order to seamlessly connect to the larger Amesbury community, the new development shall include details, materials, and patterns based on the local vernacular.
- **Access to Open Space:** Preservation of open space and access to a variety of public spaces shall be available to all residents and visitors.

SOUTH NEIGHBORHOOD

The South Neighborhood includes a mix of single family detached, semi-detached, and attached homes. The goal is for this neighborhood to create a transition from the village scale of the existing uses along Elm Street back to the more moderate density of the North Neighborhood further into the site.



A series of community green spaces and shared amenities are distributed throughout the neighborhood. Visitors to the community are welcomed by a park at the entry. There is also a formal South Village Green flanked by residential units with an amenity as it's focal point as well as several other smaller pocket parks and community gardens. A roundabout is included at the transition to the North Neighborhood which is fronted by the South Club House.

Each home in the South Neighborhood includes dedicated, off-street parking for the residents, typically to the rear of the homes, with additional parallel parking spaces provided on street for visitors.

NORTH NEIGHBORHOOD

The North Neighborhood includes a mix of small scale multifamily buildings including stacked flat/townhouses, 6-unit manor houses, 12-unit walk-ups, and corridor buildings. The stacked flat/townhouses and 6-unit manor houses inhabit the zone closest to the South Neighborhood, with the 12-unit walk-ups and corridor buildings mostly comprising the northernmost edge along 495.



As with the South Neighborhood, a series of community green spaces and shared amenities are distributed throughout the neighborhood. The North Village Green is located at the center of the neighborhood, with other smaller parks and community gardens arranged at the various other edges of the neighborhood.

Parking in the North Neighborhood is included as a combination of shared parking lots behind the residential buildings intended for residents and on street parallel parking spaces in front for visitors.

RESIDENTIAL BUILDINGS

As a residential community, the scale and character of the homes themselves will largely contribute to the feel of the neighborhoods. As a general rule, the standards and guidelines that follow are largely intended to create a new neighborhood that fits into the predominantly historic character of the best residential neighborhoods of Amesbury.

Given Amesbury's history extends all the way back to the late 17th century, the full gamut of historical New England styles are likely on display somewhere in town, including Georgian, Adam, Greek Revival, and the later Colonial Revival styles. Any of these would be appropriate reference points here.



However, additional consideration must be given to also address current building practices, building codes, and available building materials. As such, the following design guidelines are grounded in the patterns of the more historic styles balanced against the realities of building new homes in the 21st century.



CIVIC BUILDINGS & AMENITIES

While the residential structures help establish the “fabric” of the neighborhoods, civic buildings provide for shared spaces that need to be conveyed as having a more civic stature.

From a neighborhood design perspective, these structures have generally been located adjacent to or within shared green spaces and/or at highly visible locations that often provide terminated vistas. Several smaller structures are distributed throughout the plan, but the primary club and pool houses have been concentrated around a civic core located at the transition between the two neighborhoods.



From an architectural design standpoint, as civic structures these buildings should also include a more elevated level of design to help them stand out from the residential fabric. This should include applying a greater attention to detail, higher quality materials, and massing and proportions that are more civic in nature.



SECTION 2

Site Configuration and Site Elements

This section will address how buildings and other elements are placed on the site. Buildings shall be sited to reinforce the traditional patterns found in older neighborhoods. How the building relates to the street, its neighbors, and the land all contribute to the shaping of public space and give identity to the neighborhoods within The Golden Triangle.

Street Design



Residential streets should help reinforce the traditional character of the surrounding neighborhood. An emphasis on walkability should be reflected by appropriate travel lane widths in combination with the inclusion of sidewalks, street trees, on-street parking, and furnishings. Additional traffic calming measures will include the treatment of the main thoroughfare as a boulevard, complete with a roundabout, and the inclusion of bulb-outs and minimal curb radii at all internal intersections.

GUIDANCE

- Lane widths shall be as narrow as feasible along residential streets to keep traffic speeds low.
- On-Street parking is encouraged where possible for convenience and to provide a comfortable distance from passing traffic for pedestrians.
- Tree planting areas shall be the appropriate width to allow for long-term viability of street trees.
- Trees shall be placed at intervals to provide consistent tree canopy at mature height.
- Public sidewalks shall be a minimum of 5' to allow for pedestrians to walk side-by-side.

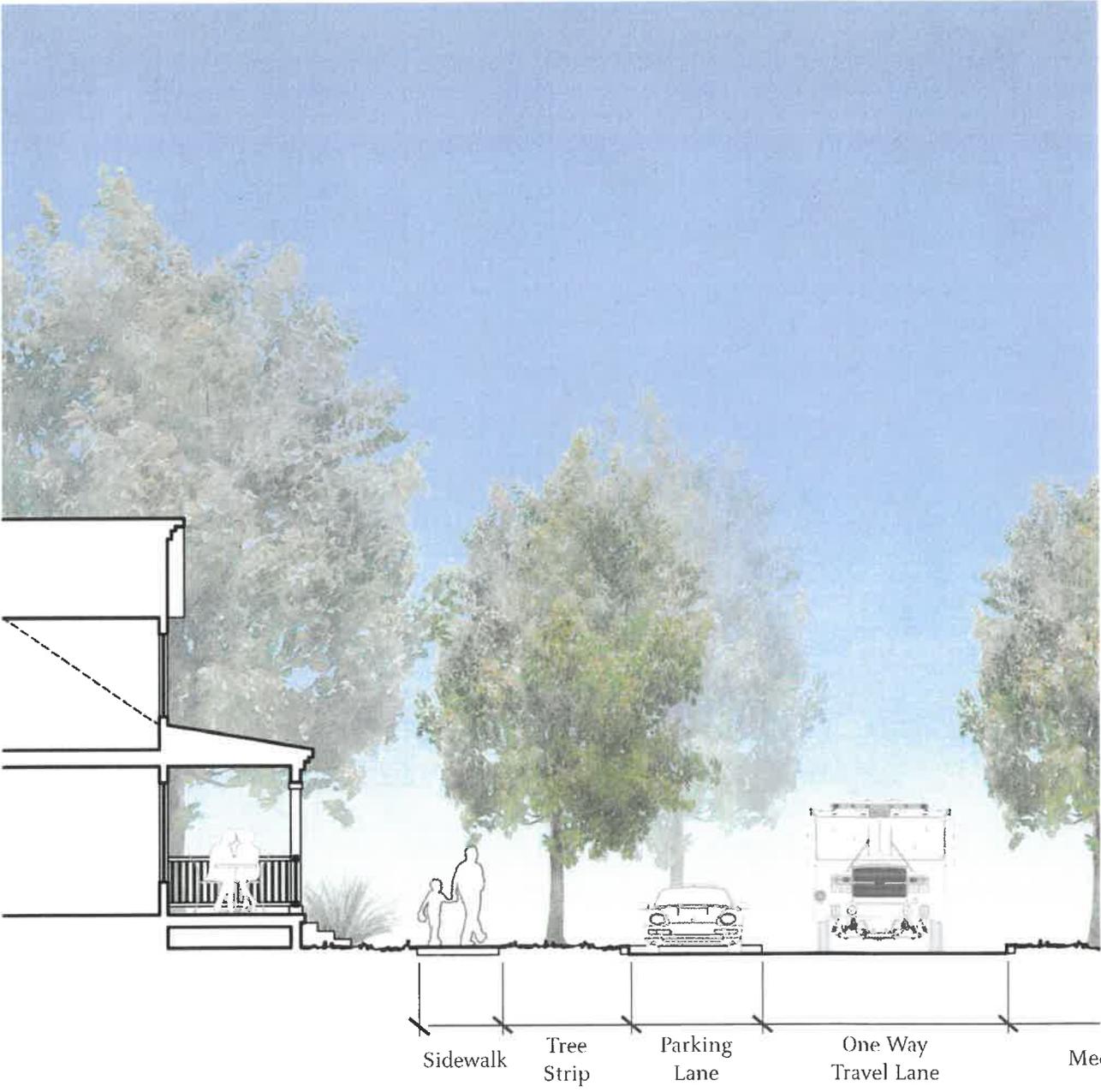


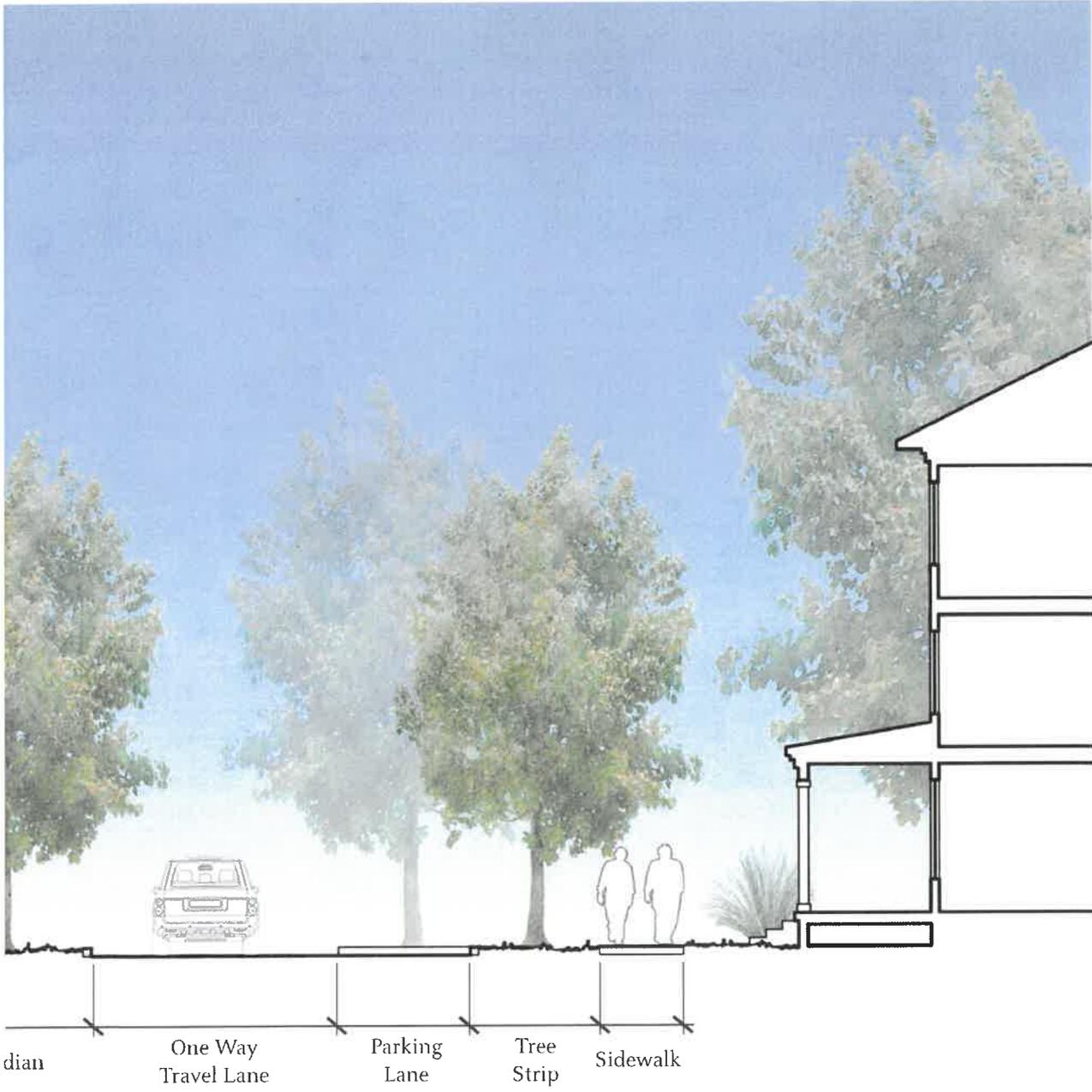
STREET NETWORK

The South and North Neighborhoods include an interconnected network of typical street types that seek to balance the creation of a walkable community with service and emergency access needs.

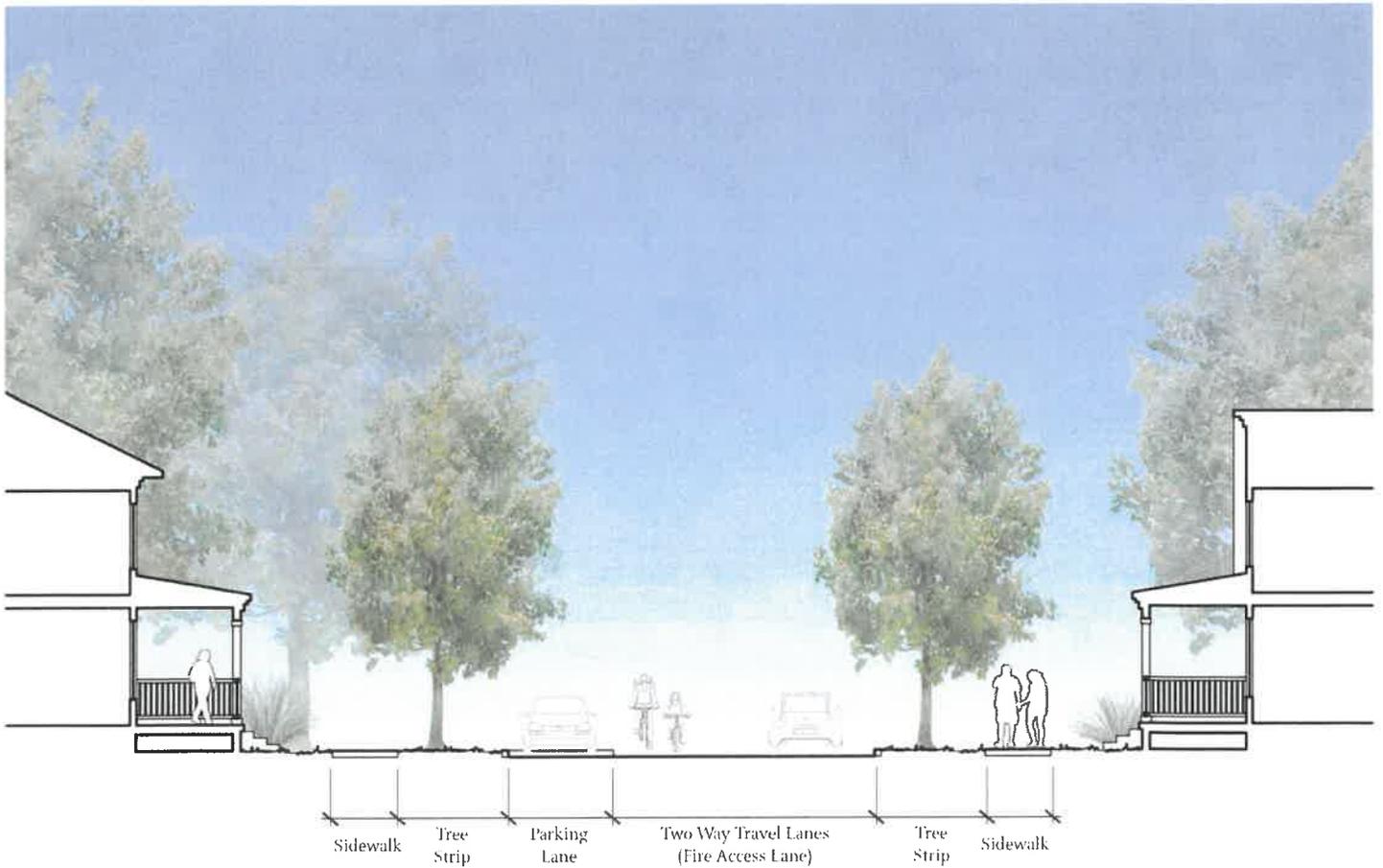
- **Boulevard:** The primary spine connecting the main entry to the civic core of the neighborhood will be a boulevard that includes a tree-lined median dividing the two primary travel lanes. On-street parking is included whenever adjacent to residential structures.
- **Neighborhood Streets:** The remaining streets are intended to be low-speed and low volume streets with sidewalks and tree planting strips on both sides of the street, on-street parking typically on one side of the street, and two way travel lanes.
- **Parking Lanes:** Most blocks feature shared parking lanes to the rear that provide access to parking and service needs, limiting the visual impact these needed uses have on the boulevard and neighborhood streets.

Boulevard





Neighborhood Streets



Parking Lane



Terminated Vistas



Terminated vistas are an important method of adding aesthetic appeal to a community. Having prominent buildings or civic structures centered at the end of streets or long views adds inherent grandeur to the space. The detailing and composition of the structure shall reflect the elevated role that it plays in organizing and giving hierarchy to the community. Deflected vistas, where streets curve and buildings are visible for long distances, shall also be considered in a similar manner.

GUIDANCE

- Center buildings or civic structures where streets terminate.
- Compose buildings to respond to elevated prominence. Include architectural features to enhance grandeur of the structure.
- Structures shall be appropriately scaled to the width of street or open space.
- The distance from which the building is seen shall coordinate with the strategies used to enhance the prominence.



Prominent terminated & deflected vistas are highlighted above.



Attention should be paid to deflected vistas to center buildings on long views.



Views across open space shall also be considered.

Residential Building Placement



The placement of a building on its lot can help or hurt the character of the neighborhood. A traditional residential site is layered from the public frontage to the private yard. These layers provide a framework for locating the building, parking, and accessory structures.

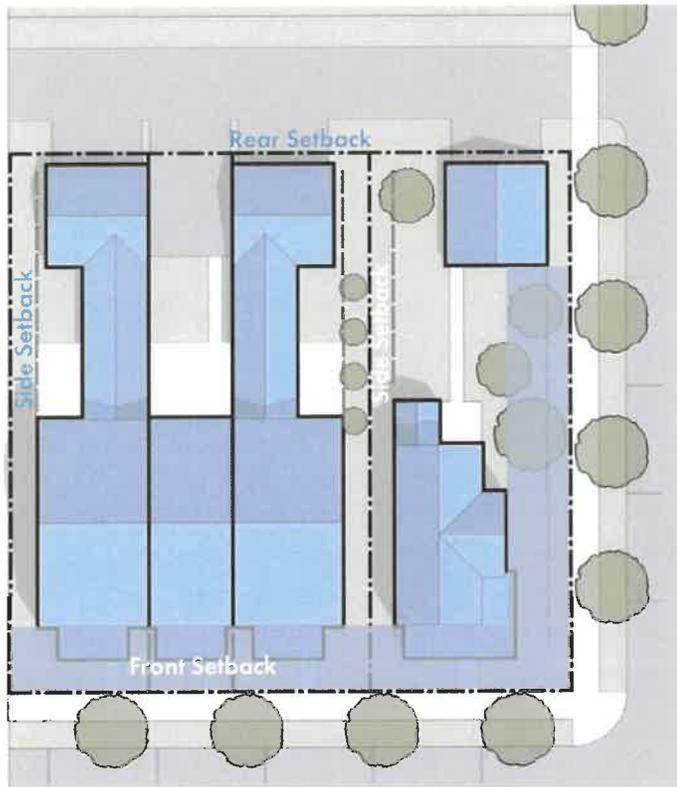


Principal building anchors the street corner with both sides designed and detailed as primary facades.

GUIDANCE

- Principal structures shall address the street while respecting setbacks and create a continuous edge along the block. Other structures on the site shall frame spaces on the interior of the lot.
- Site structures shall create a variety of public, semi-private, and private spaces.
- Porches and stoops shall be used to help create a transition zone between the public and private spaces.
- On corner lots, both sides of the building facing the street shall be designed and detailed as a primary facade, including fencing & landscaping.

FRONT SETBACK



- **Front Setback:** The building entry shall be located in the front setback such that it is clearly visible from the street. Landscaping and fencing can help to define the private frontage.

DEFINING SPACES

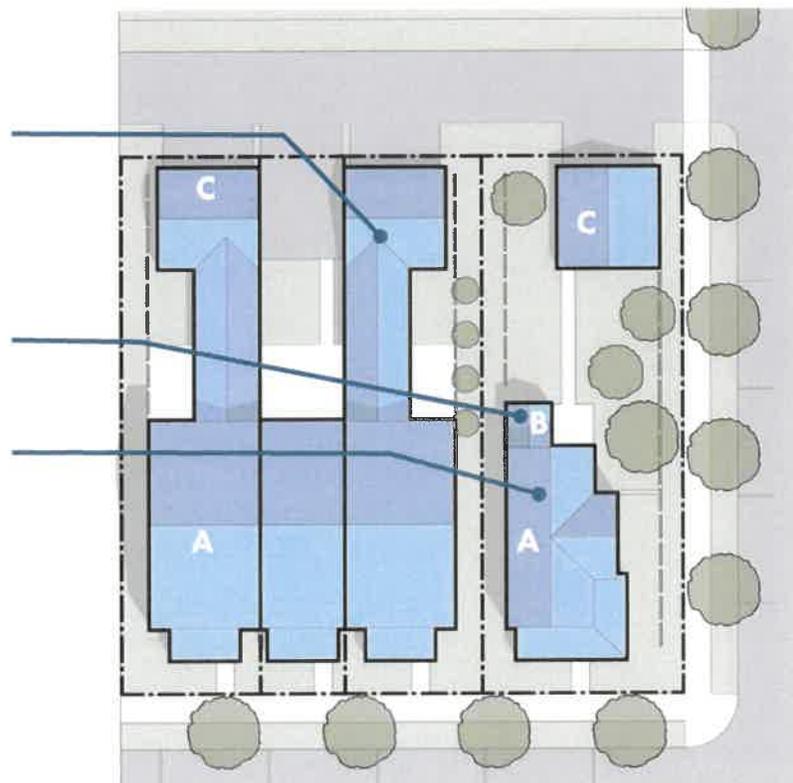
Garage located off alley allows narrower lots without garages dominating front facades

Structures frame the backyard for privacy

At corner lots, the principal building anchors the street corner

LEGEND

- A. Principal building
- B. Back building
- C. Outbuilding



Parking, Driveways, and Outbuildings

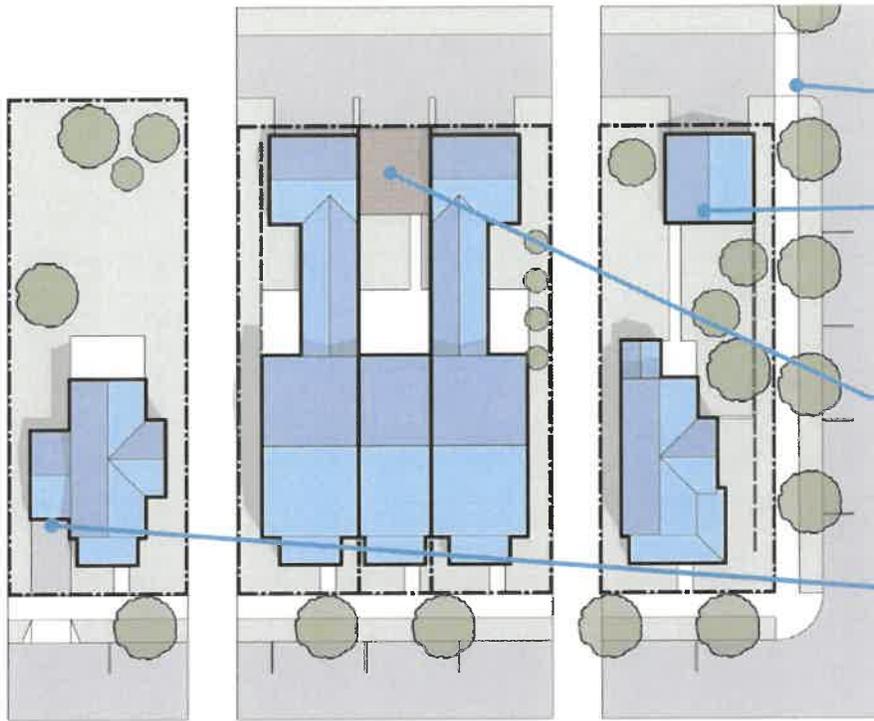


Parking on residential lots shall be handled with care so that pavement and vehicles do not dominate the neighborhood. Traditionally, utilitarian structures such as carriage houses and barns were sited away from the main house. These structures were simpler, smaller, and either detached or attached as a secondary mass. Today, garages have replaced these structures and shall be sited in a similar manner. Together with driveways, they shall be designed to create pleasant spaces.

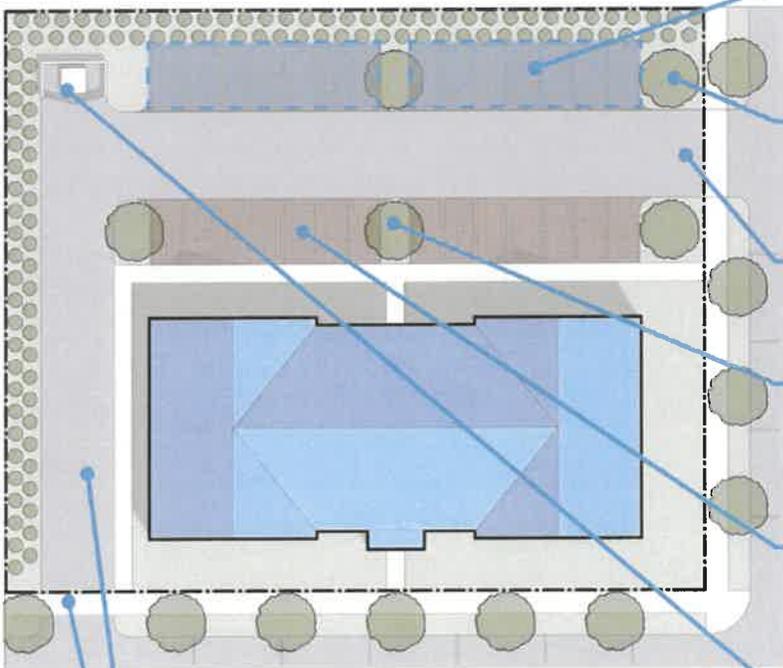
GUIDANCE

- Parking areas and garages shall be located behind buildings. Where parking is exposed on corner conditions, shield parking from view with landscaping and fencing. Parking areas shall not encroach any further than the adjacent building face.
- Alley-loaded garages shall be placed in the rear of the lot; front-loaded garages shall be a minimum of 4' behind the principal building face.
- Any sidewalk crossing the driveway shall be continuous. Change the material of the driveway at the apron to match the prevailing sidewalk material.
- Parking area lighting shall be dark sky compliant and not spill onto adjacent properties.

SITE LAYOUT



- Paving material shall be changed at apron to match sidewalk
- Garages & outbuildings shall be set in back of lot, away from street frontage.
- Parking areas may be designed using different materials from street paving. Permeable paving is preferred, when possible.
- Face of garage shall be set back a minimum of 4' from principal building face



- Solar canopies may not be used when visible from the primary boulevard or open space areas.
- Landscape and low walls shall screen parking areas. Fencing and low walls shall be 48" high maximum.
- Corner lots shall utilize secondary frontage for parking access.
- Landscape islands are encouraged in areas with long stretches of parking.
- Pervious paving is encouraged in low impact areas breaks up larger parking areas and helps manage stormwater.
- Refuse removal areas shall be screened from view with screening compatible to the building design.

- Interior lots shall use a narrow drive to access parking in the rear.
- Sidewalk material shall continue over driveway apron to prioritize pedestrian use.

Site Elements



Site elements must be considered carefully throughout each phase of development. Required utility boxes and mechanical equipment shall be placed away from the public right-of-way to avoid awkward screening where possible. Other elements, such as mailbox clusters and street lights, shall be in a similar style to the buildings to allow them to blend into their context or even become an amenity.

GUIDANCE

- Accessory buildings shall be designed to be cohesive with the rest of the neighborhood.
- Mechanical & utility equipment shall be hidden from public view and screened with fences, site walls, and landscape where permissible.
- Gang mailboxes for multi-family buildings shall be located within civic amenity buildings.
- Mailboxes for single-family shall be located in decorative structures or individually mounted where feasible.
- Lighting shall be pedestrian scale and no brighter than needed.

- Building outdoor lighting shall match the period of and compliment the building. Entry lights shall be mounted within the siding and not on the door trim. All light fixtures shall be dark sky certified or compliant and designed to provide the minimum illumination recommended in the current edition of the IESNA Lighting Handbook.
- Street lights shall be decorative in shape, scale, and finish with detailed and articulated treatments for the base, post, fixture, and crown.



Exterior fixtures shall match building style.



Examples of light pollution reducing street lights that enhance their environment and contribute to the overall sense of place.

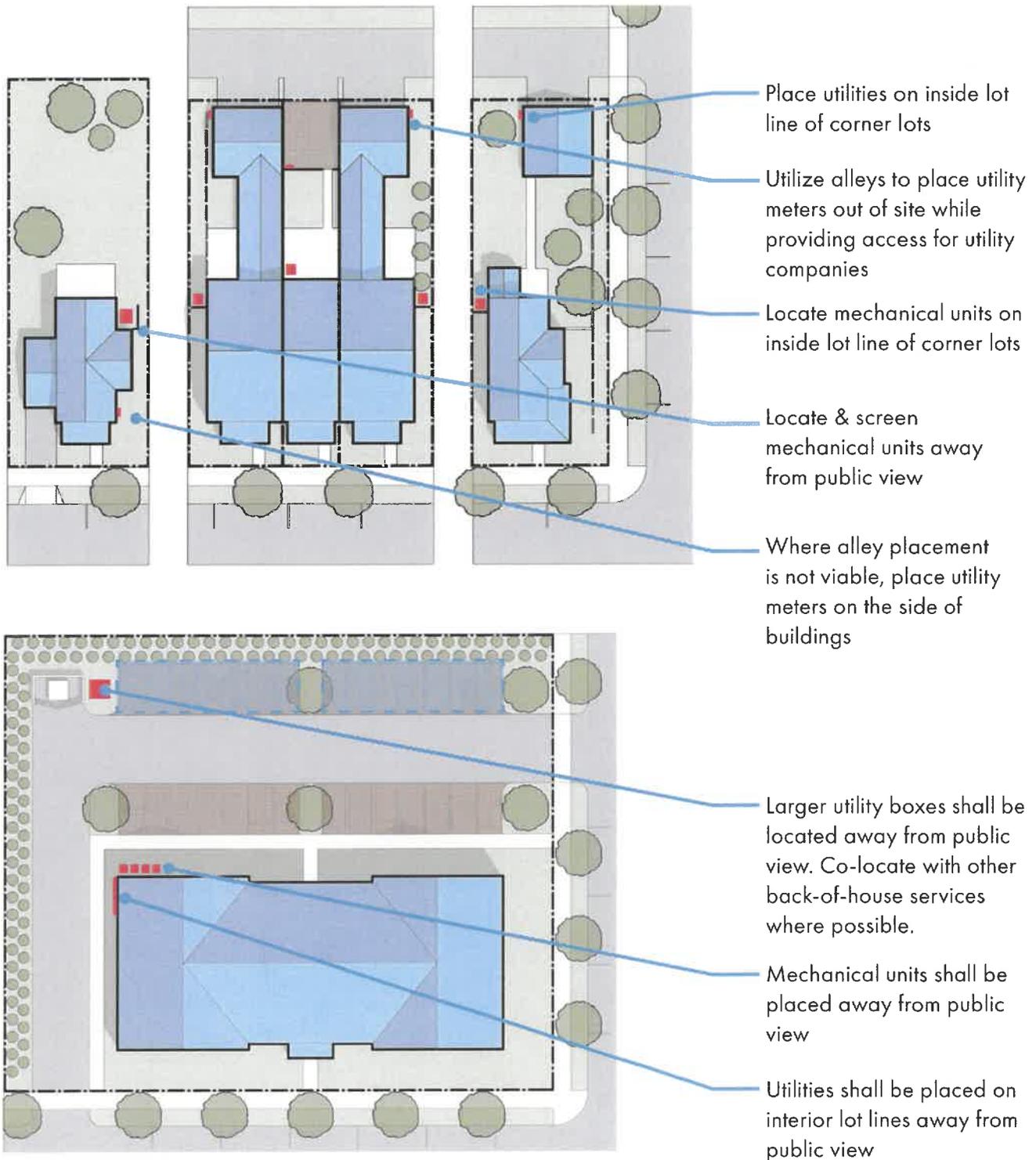


Place mechanical & utility boxes in alleys and parking areas away from the main public right-of-way.



Place street lights at corners to utilize decorative posts for street signs.

UTILITY LAYOUT



SECTION 3

Traditional Scale and Massing

The following set of standards and guidelines are intended to illustrate basic principles of form, composition, material, and detail. These principles are most often overlooked in contemporary residential construction.

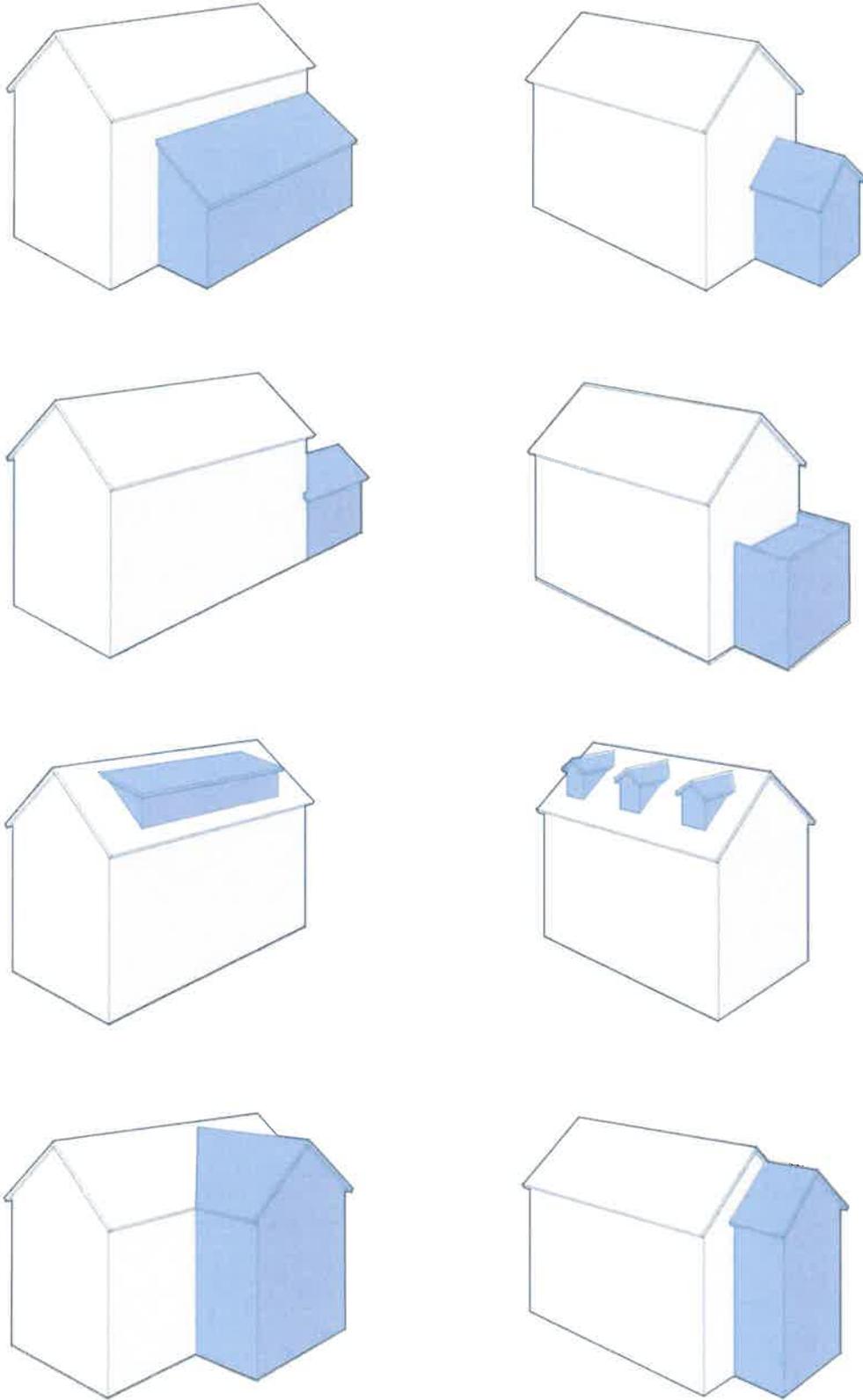
Primary and Secondary Massing



Traditional buildings are composed of simple volumes that evolve over time to accommodate the needs of current and future generations. A building shall have a primary volume with additional forms that defer to the mass of the primary building. Complexity and interest occur with the grouping of structures at the scale of the street or neighborhood rather than within a single building or lot.

GUIDANCE

- Massing shall have harmonious proportions and proper detailing can make even a basic form elegant.
- Additions and secondary volumes to the primary mass shall defer in scale, form, and proportion to the primary or original volume.
- Accessory structures on the site, such as sheds or garages, shall respect the design of the primary structure.
- Multi-family massing shall be broken down through varying heights in roof forms and utilizing secondary elements. Forms, such as a u-shape, can break up the bulk of a building from the street and provide access to open space.



Examples of the transformation of a simple primary volume with a succession of secondary volumes.

Multi-Family Building Scale



Multi-family buildings should employ many of the elements of traditional residential construction. Keep the massing forms simple. Provide articulation with architectural details, window groupings, and building breaks to allow the form to break down to a scale in-keeping with traditional residential neighborhoods.

GUIDANCE

- Multi-family buildings shall share the same architectural character and scale as the surrounding neighborhood.
- Large buildings shall be designed to break up mass and reduce scale using vertical and horizontal articulation.
- Vertical articulation may include bay windows, columns, pilasters, mullions, regular repetition of window patterns, a break in the building plane, or a recessed entry.
- Flat roof buildings shall have a cornice and a minimum 18" parapet to shield rooftop equipment from view.
- Buildings shall have a clear base, middle, and top to break down the scale of taller buildings.
- For ground-floor units, the height of window sills shall be appropriate to the building setback from the sidewalk to ensure privacy for residents. Raising the ground floor elevation provides an additional level of privacy.

FACADE ELEMENTS



Scale entries to be appropriate to their setting and unit type. Individual entries can help to break down the scale of a multi-family building to fit into a primarily residential context and neighborhood.

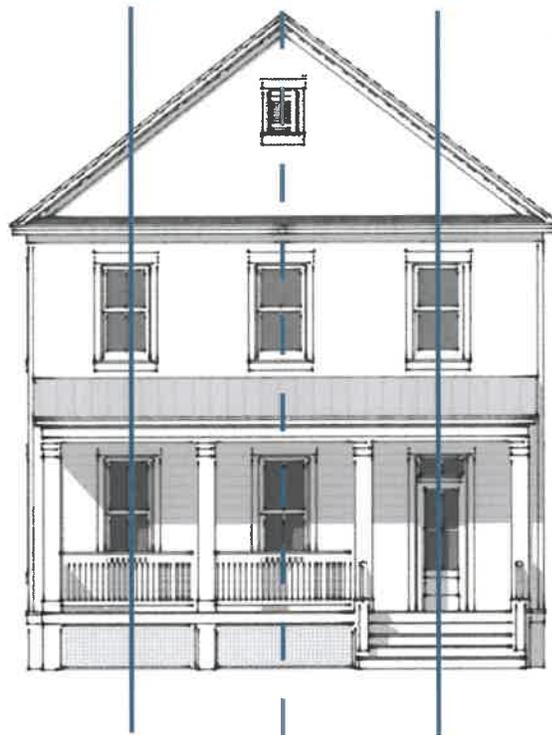
Larger scale multi-family buildings shall have a clear top, middle, and base.

ARTICULATION



Articulation is not limited to changes in the building plane, but includes repeating window patterns, pilasters, and bay windows.

Facade Arrangement & Balance

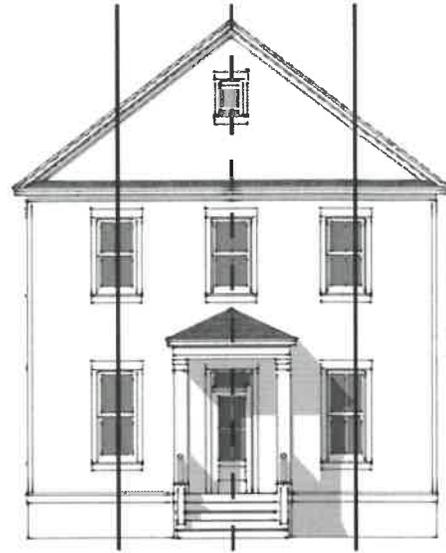


Traditional buildings feature a balanced composition. The front facade in traditional architecture was a carefully arranged composition. Balance is achieved by bilateral symmetry, where one side is the mirror image of the other, or by an asymmetrical composition where larger elements are countered with smaller ones. The center of balance was typically at the front entry, which was the focal point of the building.

GUIDANCE

- Balance may be achieved through bilateral symmetry or asymmetrical arrangements.
- The center of balance on the front facade frequently coincides with the front entry to emphasize the door as a welcoming element.
- Elements framing the front door are often symmetrical even in asymmetrical compositions.
- A composition is balanced when all its parts are designed with respect to one another and to the whole.

BILATERAL SYMMETRY



An elevation can have bilateral symmetry about a central axis with windows and doors ordered to reinforce the symmetry of the primary volume.

ASYMMETRICAL BALANCE



An elevation may also have an asymmetrical composition, but the openings, massing elements, and roof forms maintain a proper sense of balance.

Roofs and Dormers



Simple pitched roofs are most efficient at shedding water. Roofs in traditional neighborhoods are typically simple pitched roofs designed to efficiently protect the building and shed water. Integrating dormers to pitched roofs provides fresh air and natural light to spaces under the rafters. Dormers are integral to the building composition and must be designed and detailed using principles that apply to the whole building.

GUIDANCE

- Depending on the prevailing style, pitches may vary from 6:12 to 12:12. Dormers shall have a minimum pitch of 4:12.
- Flat roofs on residential buildings are restricted to large multi-family buildings.
- Generally, a single dominant roof form is clearly legible, with the roofs of secondary volumes deferring in scale to the main body of the building.
- Gable, hip, or shed roofed dormers are permitted and are encouraged to be habitable. It is not permitted to build on top of the roof, creating a false dormer.
- Dormer windows and eaves shall be scaled to account for added mass of dormer to maintain equal “visual height.”

ROOF FORMS



Traditional roof forms include hip, gable, and gambrel style roofs.

DORMERS



Dormers shall not exceed 75% of the roof width and shall be recessed at least 12" from the eave. Dormer windows shall be smaller to look proportional to the main windows.



Step the dormer back from the eave of the building.



Dormers and their eaves scaled in proportion to the main windows.



SECTION 4

Building Elements and Materials

The following set of standards and guidelines are intended to illustrate building elements that contribute to the overall character of a building and its surrounding context. Each individual element contributes to the whole building composition and shall be designed to the standard of care described in this section.

Foundation Walls and Piers



Foundations are structural elements that transfer the weight of a building to the soil. Strong and durable materials are traditionally used to support the building weight and resist moisture damage. Masonry walls form a strong base for traditional buildings. Piers are used to support columns at unconditioned structures, such as porches.

GUIDANCE

- Fieldstone and brick foundations are most common in traditional architecture. Though modern construction may not allow these materials to be used for structural purposes, they are encouraged to be used as veneers over concrete block or poured concrete foundations.
- Concrete foundations shall be faced with masonry or finished with paint, plaster, or similar material.
- Piers shall be no less than 16" x 16", shall match the foundation material, and align with the columns above. The column and its base shall not be larger in width than the pier.
- Space between piers shall be filled with lattice to conceal framing while allowing for air circulation to prevent rot.

FOUNDATION WALLS



Plaster finish on foundation.



Decorative traditional brick foundation.

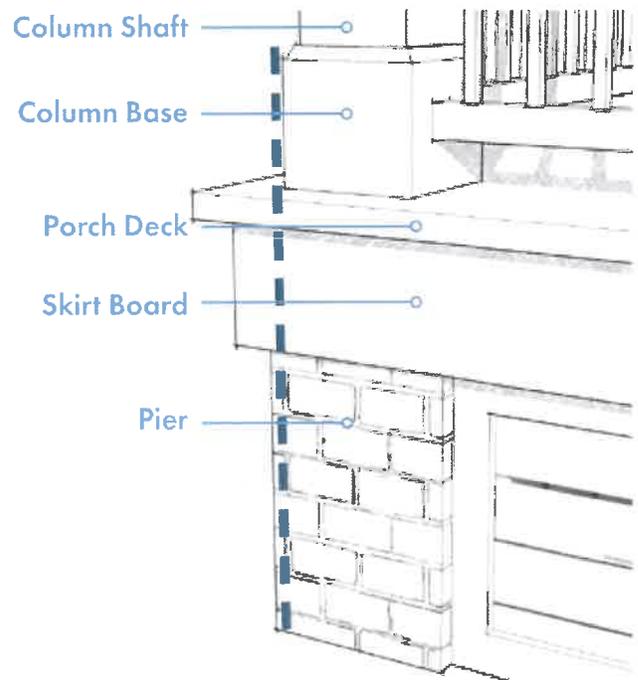


Left and right: Stone foundations can vary in color and style.

FOUNDATION PIERS



Wood lattice panels in a horizontal and vertical orientation between porch foundation piers.



Wall Materials



Exterior walls express the volume and structure of a building. The exterior finishes reveal something about the structure of a traditional building. Masonry walls were typically solid and the brick or stone was both the structural wall and finish material. On the other hand, wood framed structures were a light weight skeleton on which wood sheathing and clapboard or cedar shingle was clad for stability and to keep out the elements.

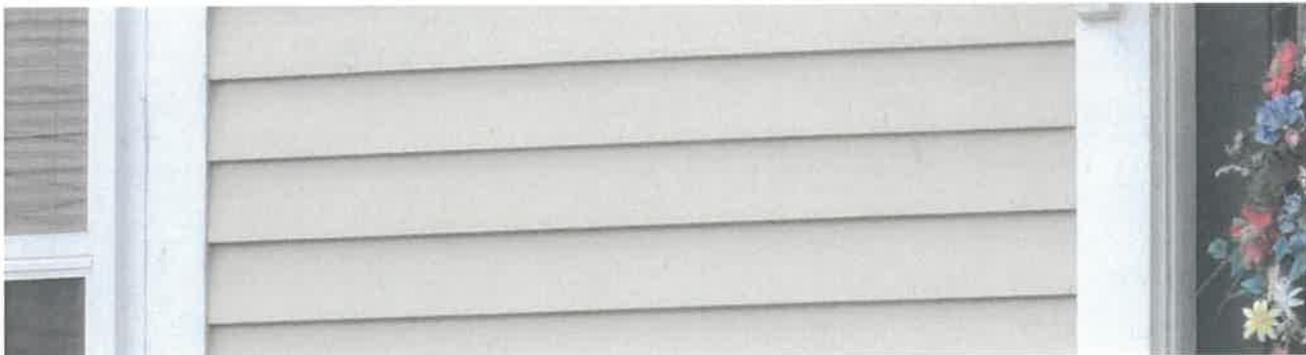
GUIDANCE

- Exterior walls shall utilize a consistent material throughout a major building form.
- Changes in material shall only occur between major building volumes and with great attention to detail.
- Exterior facing elements, like chimneys, shall be faced with brick, stone, or stucco that extends to the ground. The cap shall be simply detailed.
- Clapboard siding shall be horizontally oriented, smooth finish, and have a 4 to 6 inch exposure.
- Vertical board and batten siding is prohibited.
- Shingles shall have bottom edges aligned with uniform exposure.

- Shingles may be left to weather naturally, pre-finished, or painted.
- Brick shall be molded for the most historic appearance with colored mortar to appear aged and no more than 3/8" wide.
- Concave or weather struck mortar joints are encouraged to shed water properly.
- No more than two materials shall be used on each distinct building above the foundation level.



Traditional cedar shingles with bottom edges aligned and left to weather naturally.



Smooth sawn clapboard with small exposure and with an overlap and reveal to help shed water.

Roof Materials and Equipment



Roofs were traditionally finished with cedar shingles or sheet metal. Asphalt shingles were developed at the turn of the 20th century and quickly replaced original roofing materials. They have become traditional in their own right. Modern equipment can detract from the traditional character of a building. Elements such as skylights, vents, antenna, and satellite dishes shall be used only when absolutely necessary. When doing so, incorporate with care to shield them from public view.

GUIDANCE

- Asphalt shingles shall be architectural.
- Membrane roofing shall only be used on flat roofs where not visible.
- A range of gray and tan shades varying from light to dark are encouraged as shingle colors.
- Skylights, roof vents, and rooftop equipment shall not be visible from the public way.
- Skylights and equipment shall blend with the roofing color.
- Skylights shall have a flat profile.
- Metal roofs shall only be used on secondary roof forms, porches, and canopies.
- Metal roofs shall be vertical standing seam only with a minimum vertical rib height of 1-3/4"



Neighborhoods typically feature architectural shingles in a range of colors.



Metal roofing is common on low pitches over porticoes, porches, and bays.



Split cedar shakes are appropriate as a roofing material.



Skylights with low profiles are an unobtrusive way to let daylight in.

Solar Panels



Solar panels are an important feature in lowering energy costs and reducing greenhouse gas emissions. Solar panels shall be placed on the rear roof plane when feasible depending on solar orientation. Panels shall be arranged in a rectangular formation to blend into the roof plane compared to a staggered edge formation.

GUIDANCE

- Solar panels facing the primary boulevard or open greens spaces are not permitted.
- Solar panels on street facing roof planes shall be the same orientation and in a rectangular grouping to avoid staggered edges. They shall integrate with the roof color. A solar skirt may be required to hide any visible equipment.
- Solar panels, both integrated and mounted, shall have a consistent, rectangular formation.
- Solar shingles shall be consistent in color with the entire roof to integrate seamlessly.



A consistent, rectangular formation of panels blends into the roof plane.



Integrated solar panels can reduce visibility on forward facing roof planes.



Solar shingle roofs shall have a consistent finish across the entire roof.

Eaves, Gutters, and Downspouts

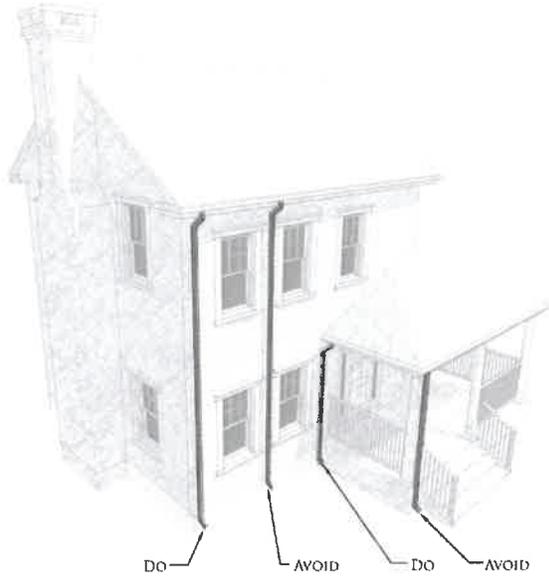


Eaves express the transition between a pitched roof and wall. Traditionally, the eave overhang was used to shed water away from the exterior wall of the building. Gutters, flashing, and downspouts all contribute to shedding water away from a building as well. These systems shall be designed to either integrate with the building or enhance the style of the building using decorative materials.

GUIDANCE

- Open or boxed eaves shall be used.
- Where the eave requires a return at a gable end, the eave shall be continuous at the corner and centered over the corner board. The flashing on the top surface shall not be visible and no greater than 1:12 pitch.
- A continuous cornice at the gable end requires no return detail, but the top surface shall be no greater than 1:12 pitch.
- Ogee gutters must be treated as crown molding at the eave and shall return with the eave or entablature at corners or gable returns.
- Downspouts shall be located at interior or exterior corners.

GUTTERS AND DOWNSPOUTS



Avoid downspouts in locations where they may add additional mass to columns and architectural features.



Copper can turn gutters into a decorative feature.

EAVES



A continuous cornice at the gable end eliminates the gable return condition.



An eave with exposed rafter needs no return.

Residential Entry Doors



Entry doors make a first impression to a guest entering a home. The front door is traditionally the focal point of the front facade, so that it is obvious and welcoming. Since the entryway is approached, and perhaps even touched the most, detail and quality materials are incorporated for close inspection. A porch or canopy is common to provide shelter.

GUIDANCE

- Doors shall be constructed of vertical stiles and horizontal rails with solid or glazed panels.
- Primary residential entry doors shall be wood or high-quality painted or through-color fiberglass. Secondary entry doors may be wood, fiberglass clad, or metal clad.
- Door style shall be appropriate to the architectural style of the primary structure.
- Sidelights and transoms shall be used where appropriate
- Porches, porticoes, and canopies are recommended to provide shelter. See *Building Entries* section for more detail.



Wood doors provide a warm, traditional look.



Fiberglass doors are able to mimic the finish of painted wood doors, while resisting the potential for dents and rust with metal doors.



Entry doors can offer a place to include a splash of color.



Door style shall match the architectural style of the building.

Garage Doors



Garages are the modern version of a traditional barn or carriage house. The garage doors shall take design cues from traditional barn and carriage house doors to integrate with the character of their surroundings. Garage doors require strict attention to prevent the garage from undermining the character of the place it inhabits.

GUIDANCE

- Garages facing the public way shall have a single door no wider than 10', or 8' if there are multiple garage doors.
- Transom lites in the topmost bay of the door may be used effectively to increase the verticality of the composition.
- A small canopy or trellis may be used to create a shadow line over the doors and improve the scale of the elevation.
- Overhead doors shall have hardware that indicates a traditional swing or sliding function.
- Garages shall always be designed in harmony with the architectural style of the primary building or buildings.



Above and Right: Garage doors that use vertical proportions are more appealing and reduce the visual width of the door. Two doors with transom windows along the top bay of the door help achieve vertical proportions.



Windows and Muntins

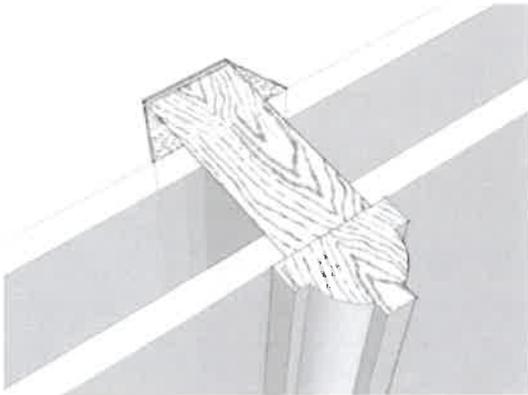


Traditional windows functioned to let in light and air while allowing views from the building. Historically, the size of glass was limited, and muntins allowed larger expanses of glass openings than could be readily produced in a single sheet. Vertical proportions of the windows allowed larger glazed areas with the ease of construction of a short header or lintel.

GUIDANCE

- Window shall be double hung or french casement style windows. Square awning windows and fixed horizontal windows may be permitted in certain locations.
- Windows and window lites shall be vertical in proportion. Lite pattern shall match style & period of the structure. 1 over 1 pattern is prohibited.
- Windows shall be clear glazed, except for decorative stained glass.
- All windows shall be simulated divided lite and must include permanent interior and exterior muntins and internal spacer bar between the glazing. GBG (grids between the glass) windows are not permitted
- Muntins shall have a molded profile of at least 7/8" in width.
- Window units shall align vertically between different building levels.

WINDOW CONSTRUCTION



A DDL window, as seen in traditional construction, has true muntins between lites.



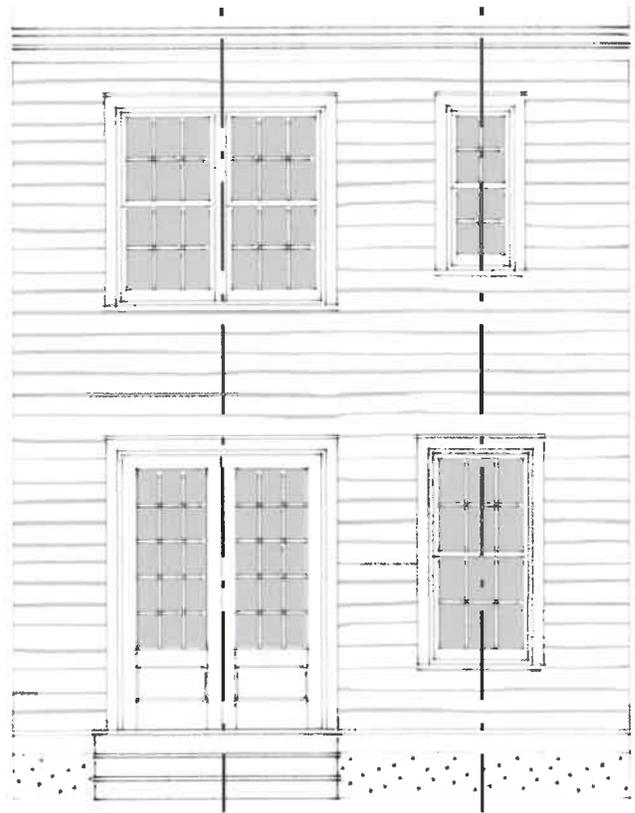
A SDL window has permanent exterior and interior muntins and an integral spacer bar.

MUNTINS



An SDL window has the appearance of a traditional window while providing more energy efficiency.

WINDOW MUNTIN PROPORTIONS



Muntin patterns shall have a consistent proportion throughout all windows, regardless of size. Windows and doors shall align between levels.



Horizontal windows are permitted in basements, as well as on side and rear elevations where privacy is a concern, such as a bedroom.

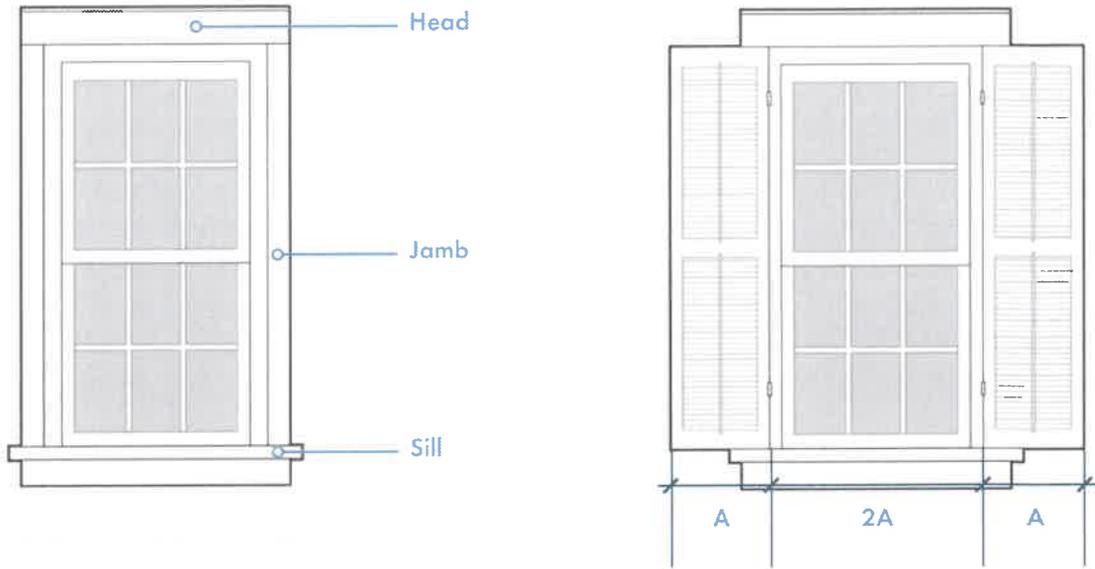
Casings and Shutters



Window and door openings are traditionally trimmed with wood casings to create a neat transition between the opening and wall. Casings project beyond the wood siding or are set within a masonry wall to fill voids between the unit and masonry opening. Shutters attach to the casings and traditionally allowed occupants to control the passage of light, heat, and water into or out of a building. Shutters were designed to be closed in a storm or opened to allow sunlight and breezes.

GUIDANCE

- Head casings may be emphasized by thicker trim and/or additional cap trim.
- Ganged windows shall have a vertical mull that is wide enough for its own casing, a minimum of 2.5 inches wide. This mull expresses the windows as two distinct vertical units with structure between.
- Casings shall be thick enough to ensure that the casing is proud of siding to fully receive the ends of beveled siding or shingles.
- For masonry walls, casing shall be set within the walls to fill voids between the unit and masonry opening.
- Shutters shall be sized to match the window height and half of the window width. They may be paneled or louvered with louvers pointing down when open.
- Shutters shall be mounted with wrought iron hinges and closure hardware to add authenticity.

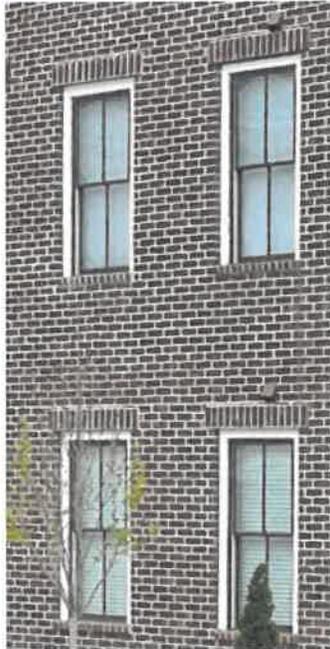


Casings, composed of a sill, jamb, and head trim, frame traditional window and door openings.

Each shutter shall be half the width of the window.



Fixed shutters installed to appear operable.



Traditional window casings are set into masonry openings.



Head casings may be elaborated with wider trim or a cap.

Entry Types



At a neighborhood scale, a variety of building entry types vary the street experience to maintain visual interest. The architectural style of the building can sometimes dictate the entry type. Other times, building typologies inform the entry type. Large multi-family buildings typically have a smaller portico or stoop as a common entry, with individual porches or balconies for units.

GUIDANCE

- Entrances shall be well defined architectural expressions.
- Entry types shall correspond to both the architectural style and building typology.
- Varying entry types on a block face may be used to maintain the rhythm of the street.
- Entry types shall use durable materials since they are the most closely seen and touched areas of the exterior.
- Building entries shall be properly detailed. See Porches & Porticoes.
- For style guidance, refer to the guides noted in Additional Resources



Door Surround & Stoop



Projecting Surround & Stoop



Portico



Porch

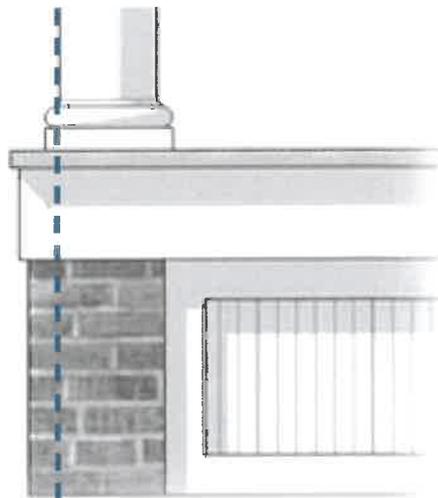
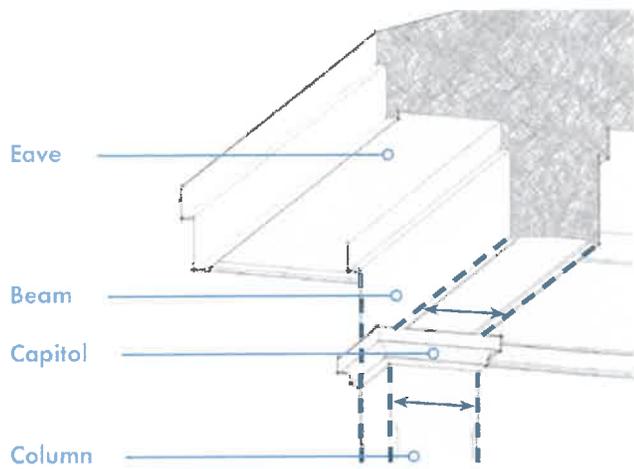
Porches and Porticoes



Front porches shelter the entry and create a transition between the public sidewalk and the private residence. When located with small setbacks from the street, front porches enliven the street by creating a place to sit and watch passersby. Well-built porches can enrich the character of the house. The detailing on the columns and beams of the porch can express the style, structure, and formality of the porch and the building.

GUIDANCE

- Covered Porches shall have a minimum depth of 8 feet.
- Front porches shall be arranged to address the most public face of a building and where called for, to address more than one public face.
- The face of the finished porch beam shall align with the neck of the supporting column on both the interior and exterior. Porch beams shall be as deep as the supporting columns are wide.
- Porch columns shall be a minimum of 6 inches square or 8 inch diameter.
- Column spacing shall create a vertical proportion between columns.
- End columns shall align with both faces of the pier, while intermediate columns are centered above and aligned with the front of the pier.



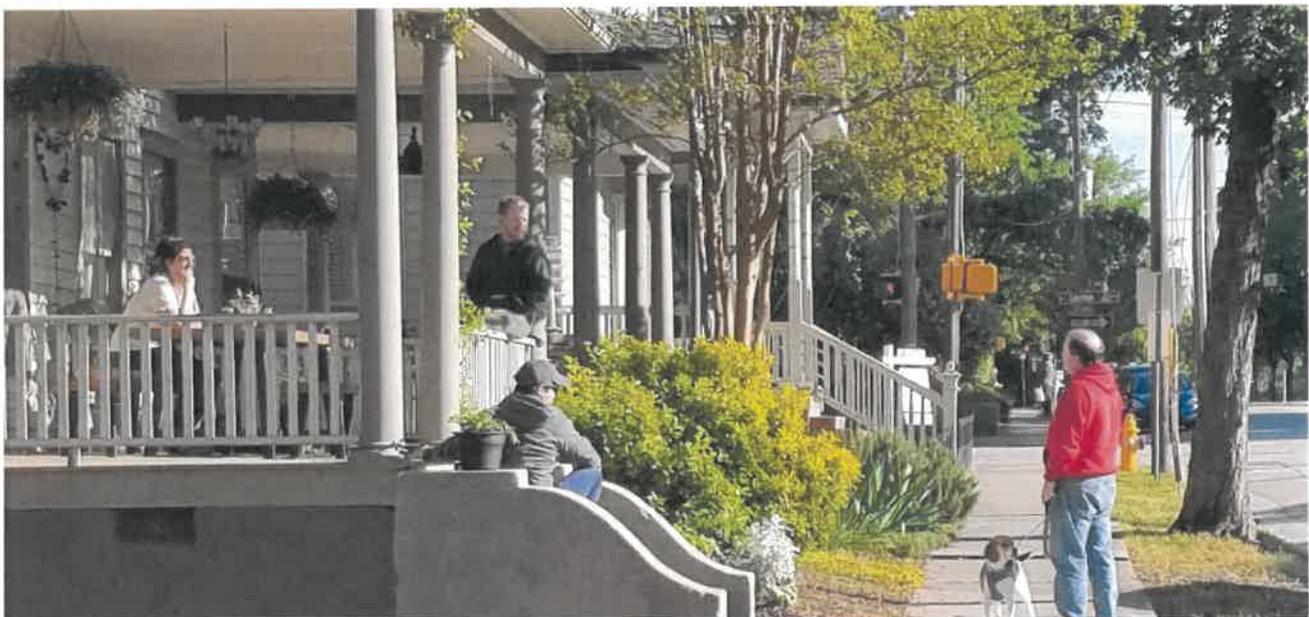
The faces of the column shaft shall align with the vertical faces of the beam and the column and beam width shall be equal.

Porch columns may be inset from the edge of the deck.



Align columns to the center of the pier face, except at corners, here align to corner of pier.

Properly aligned assemblies appear to provide the correct support to the beam above.



Street life is enhanced by interaction between neighbors on the front porch.

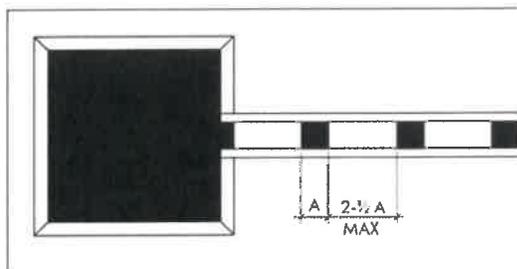
Railings



Railings are sometimes required for safety, but can also help to define the extents of the porch as a usable room. The design of a porch rail can enhance the enclosure and character of the porch.

GUIDANCE

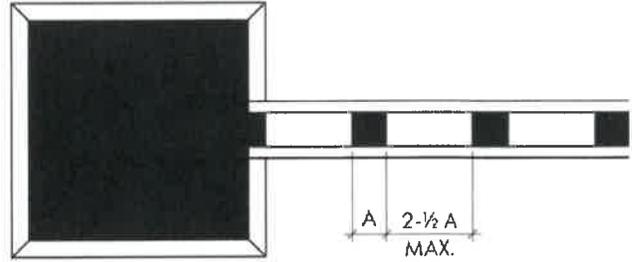
- Porch railings and balusters shall be painted wood, composite, and metal, or fiberglass with square or turned balusters set between a top and bottom rail. Vinyl railings shall be limited to upper level porches & balconies on multi-family structures.
- Railings shall be as low as practical to maintain a traditional proportion and allow views over the top rail when seated on a porch.
- Balusters are encouraged to be traditionally spaced 2.5 diameters apart.
- If a railing is required by code to be greater than 36" tall, it shall have a major rail set at 34" or less, with a less visible upper rail to meet code.
- Cable & glass railings are prohibited.



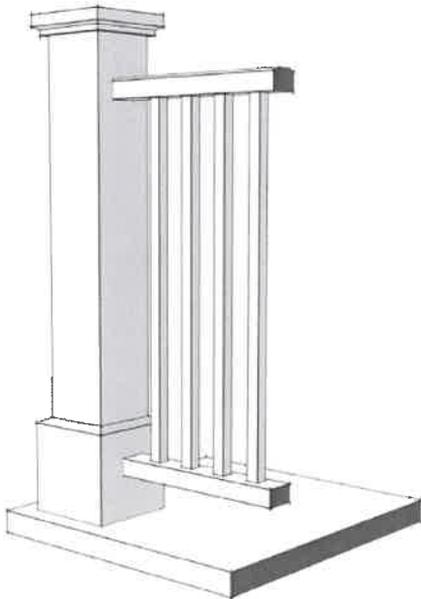
Baluster diagram showing traditional spacing and engaged baluster.



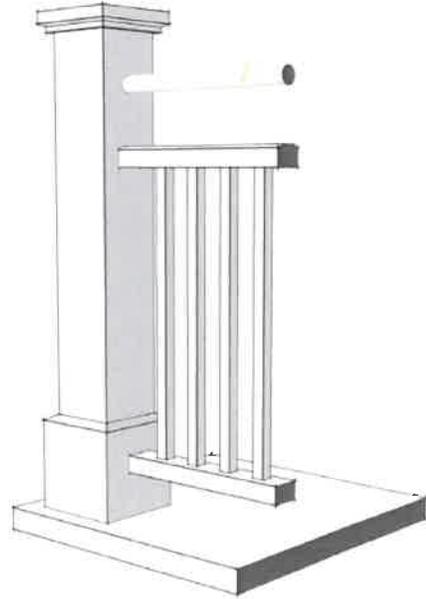
Low porch rails allow views over the top rail when seated.



Baluster diagram showing traditional spacing and engaged baluster.



Traditional railing assemblies are constructed of balusters set between a top rail and a bottom rail.



When code requires, an additional pipe rail shall be located at 36", but the major rail shall be set at 34" or less.

Trim & Detailing



Traditionally, trim was used to make clean transitions between different planes, materials, or around openings. Trim can solve many conditions by sitting proud as an edge for adjacent materials. Trim can range from simple, clean, and functional to elaborate, ornate, and expressive. Minimal dimensions reflect the traditional wood material.

GUIDANCE

- Trim work shall provide neat transitions between materials.
- Trim shall not be less than 5 1/2 inches in width at corners and 3 1/2 inches in width around openings. These dimensions represent typical wood boards used in traditional trim work. Exceptions include shingle-style structures and buildings with classical detailing, where less trim may be appropriate.
- Trim shall be proud of the siding to frame openings and provide a surface into which the siding can end.
- Trim may be stained or painted wood or paintable synthetic material similar in appearance to wood.
- Larger or more decorative trim may be appropriate at building entries or points of prominence.



Trim is used at point of transition, such as between different materials at the foundation, roof, and windows.



Casings are generally wider and more elaborate at the front entry to emphasize the door as a focal point.

Chimneys



Fireplaces are the traditional heart and warmth of a house. Traditional fireplaces were located in the center of the house to provide the primary heat source in the winter. The brick chimney provided a fire-resistant flue for releasing smoke.

GUIDANCE

- Fireplaces may be in the center of the plan or on an exterior wall. Portions of chimneys external to the building form shall be detailed as a traditional chimney. Non-traditional flues and vents may only be used where hidden from the public right-of-way.
- Chimneys shall be built or faced of stone, brick, stucco, or other non-flammable materials. Exposed chimneys shall not be clad in clapboard or shingles.
- Where chimneys are exposed and continue to grade, chimneys shall have a strong foundation that meets the ground and rises vertically or tapers in steps.



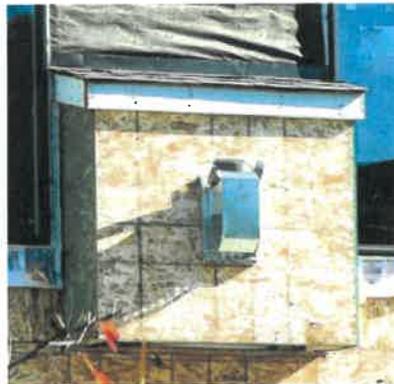
Chimneys that extend to grade shall maintain their material character throughout and step or taper to meet grade with a strong foundation.



Chimneys may include decorative caps.

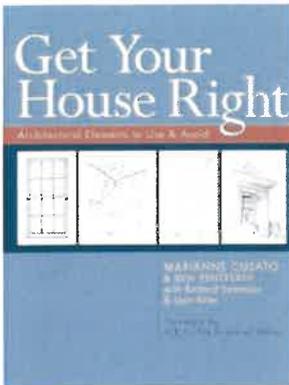
FOLLOWING NOT PERMITTED

- “floating” chimneys that are cantilevered
- Cladding the chimney in the same material used for the building.
- The expression of the chimney to a shed box with a direct vent tacked on to the side of the house



ADDITIONAL RESOURCES

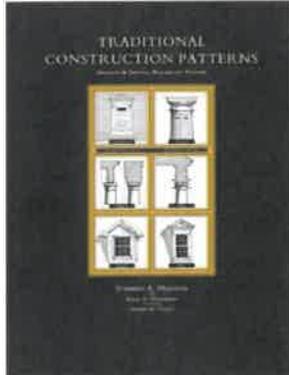
The following resources may be referenced for further information on how to appropriately detail a residential building. In any case where a detail in these resources conflicts with something in this pattern book, the requirements of the pattern book supersede.



Get Your House Right

Architectural Elements to Use & Avoid

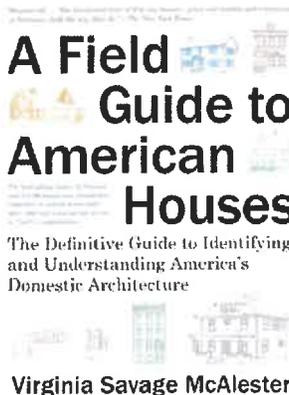
Marianne Cusato & Ben Pentreath



Traditional Construction Patterns

Design & Detail Rules of Thumb

Stephen A. Mouzon & Susan M. Henderson



A Field Guide to American Houses

The Definitive Guide to Identifying and Understanding America's Domestic Architecture

Virginia Savage McAlester

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Multi-Family Zoning Requirement for MBTA Communities

This page includes: Compliance Guidelines on new Section 3A of MGL, c. 30A and related materials.

This new law requires that an MBTA community shall have at least one zoning district of reasonable size in which multi-family housing is permitted as of right and meets other criteria set forth in the statute:

- Minimum gross density of 15 units per acre
- Located not more than 0.5 miles from a commuter rail station, subway station, ferry terminal or bus station, if applicable
- No age restrictions and suitable for families with children

On December 15, 2021, the Department of Housing and Community Development (now the Executive Office of Housing and Livable Communities - EOHL) issued draft guidelines on how to comply with the law. After the release of the draft guidelines, the Baker-Polito Administration held a public comment period until March 31, 2022. During the public comment period, there were over 24 engagement sessions and DHCD received nearly 400 comments through an online portal. The public comment process served to inform the revised guidelines.

On August 10, 2022, DHCD (now EOHL) issued the final guidelines to determine if an MBTA community is in compliance with Section 3A. [Read the letter](#) ([/doc/mbta-communities-final-compliance-guidelines-letter/download](#)) sent to each MBTA Community from Secretary Mike Kennealy and Undersecretary Jennifer Maddox. We encourage you to visit this page often as it will be updated from time to time.

TABLE OF CONTENTS

- [What is an "MBTA Community"? \(#what-is-an-\)](#)
- [Why is multi-family zoning near transit and in neighboring communities important? \(#why-is-multi-family-zoning-near-transit-and-in-neighboring-communities-important?\)](#)
- [What is the law? \(#what-is-the-law?\)](#)
- [Section 3A Guidelines \(#section-3a-guidelines-\)](#)
- [Compliance Model \(#compliance-model-\)](#)
- [Complying with Section 3A Guidelines \(#complying-with-section-3a-guidelines-\)](#)
- [Resources \(#resources-\)](#)
- [Contact \(#contact\)](#)

What is an "MBTA Community"?

"MBTA community" is defined by reference to Section 1 of MGL c. 161A:

- one of the "14 cities and towns" that initially hosted MBTA service;
- one of the "51 cities and towns" that also host MBTA service but joined later;
- other "served communities" that about a city or town that hosts MBTA service; or
- a municipality that has been added to the MBTA under G.L. c. 161A, sec. 6 or in accordance with any special law relative to the area constituting the authority.

In total, 177 MBTA communities are subject to the new requirements of Section 3A of the Zoning Act. While served by the MBTA, Boston is exempted from the Zoning Act, including section 3A. This is illustrated in the map below.

shall: (i) have a minimum gross density of 15 units per acre, subject to any further limitations imposed by section 40 of chapter 131 and title 5 of the state environmental code established pursuant to section 13 of chapter 21A; and (ii) be located not more than 0.5 miles from a commuter rail station, subway station, ferry terminal or bus station, if applicable.

(b) An MBTA community that fails to comply with this section shall not be eligible for funds from: (i) the Housing Choice Initiative as described by the governor in a message to the general court dated December 11, 2017; (ii) the Local Capital Projects Fund established in section 2EEEE of chapter 29; or (iii) the MassWorks infrastructure program established in section 63 of chapter 23A.

(c) The department, in consultation with the Massachusetts Bay Transportation Authority and the Massachusetts Department of Transportation, shall promulgate guidelines to determine if an MBTA community is in compliance with this section.

Attorney General Advisory

On March 15, 2023, Massachusetts' Attorney General Andrea Campbell issued an Advisory concerning the enforcement of the requirements imposed on cities and towns by Chapter 40A, Section 3A.

The law requires that an MBTA community shall have at least one zoning district of reasonable size in which multi-family housing is permitted as of right, and that meets other criteria set forth in the statute. Failure to comply with the law results in a loss of eligibility for the community, for certain funding programs.

The Attorney General's Advisory states "All MBTA Communities must comply with the Law." The Advisory further states that "MBTA Communities cannot avoid their obligations under the Law by foregoing this funding."

In addition, the Advisory cautions that "Communities that fail to comply with the Law may be subject to civil enforcement action" and, "Communities that fail to comply with the Law's requirements also risk liability under federal and state fair housing laws. The Law requires that MBTA Communities "shall have" a compliant zoning district and does not provide any mechanism by which a town or city may opt out of this requirement."

The Attorney General's press release and the text of the Advisory are available here:

AG Campbell Advisory Press Release

(/news/ag-campbell-issues-advisory-on-requirements-of-mbta-communities-zoning-law)

Read the Attorney General's advisory about the enforcement of MBTA Communities zoning law

(https://www.mass.gov/doc/advisory-concerning-enforcement-of-the-mbta-communities-zoning-law/download)

Section 3A Guidelines

Below you will find a link to the guidelines for determining compliance with Section 3A of MGL c. 40A and summary of revisions made on 08/17/2023.

Guidelines (PDF)

(https://www.mass.gov/doc/compliance-guidelines-for-multi-family-zoning-districts-under-section-3a-of-the-zoning-act/download)

Guidelines (HTML)

(/info-details/section-3a-guidelines)

Guidelines with Redlines 08/17/23 (PDF)

(https://www.mass.gov/doc/redlines-of-compliance-guidelines-for-multi-family-zoning-districts-under-section-3a-of-the-zoning-act/download)

Summary of 08/17/23 Revisions (PDF)

(https://www.mass.gov/doc/summary-of-changes-to-mbta-communities-guidelines-081723/download)

Summary of 08/17/23 Revisions (HTML)

(/info-details/summary-of-081723-revisions-to-section-3a-guidelines)

MBTA Community Categories

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(</info-details/mbta-communities-compliance-model-components>)

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The Guidelines establish timelines for municipalities to adopt compliant zoning districts. MBTA communities that are noncompliant with Section 3A are ineligible for funding from certain funding sources provided by the Commonwealth. There are two forms of compliance, district (or "full compliance") and interim compliance.

District Compliance

District Compliance is achieved when an MBTA community adopts a multi-family zoning district that meets all the requirements of the compliance guidelines and is certified by the Executive Office of Housing and Livable Communities (EOHLC). The deadline to submit a compliance application to EOHLC varies by community category as shown in the table below.

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Contact

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Executive Office of Housing and Livable Communities (orgs/office-of-housing-and-livable-communities)

Multi-Family Zoning Requirement for MBTA Communities

This page includes Compliance Guidelines on new Section 3A of MGL c. 40A and related materials.

This new law requires that an MBTA community shall have at least one zoning district of reasonable size in which multi-family housing is permitted as of right and meets other criteria set forth in the statute:

- Minimum gross density of 15 units per acre
- Located not more than 0.5 miles from a commuter rail station, subway station, ferry terminal or bus station, if applicable
- No age restrictions and suitable for families with children

On December 15, 2021, the Department of Housing and Community Development (now the Executive Office of Housing and Livable Communities - EOHL) issued draft guidelines on how to comply with the law. After the release of the draft guidelines, the Baker-Polito Administration held a public comment period until March 31, 2022. During the public comment period, there were over 24 engagement sessions and DHCD received nearly 400 comments through an online portal. The public comment process served to inform the revised guidelines.

On August 10, 2022, DHCD (now EOHL) issued the final guidelines to determine if an MBTA community is in compliance with Section 3A. [Read the letter \(/doc/mbta-communities-final-compliance-guidelines-letter/download\)](#) sent to each MBTA Community from Secretary Mike Kennealy and Undersecretary Jennifer Maddox. We encourage you to visit this page often as it will be updated from time to time.

TABLE OF CONTENTS

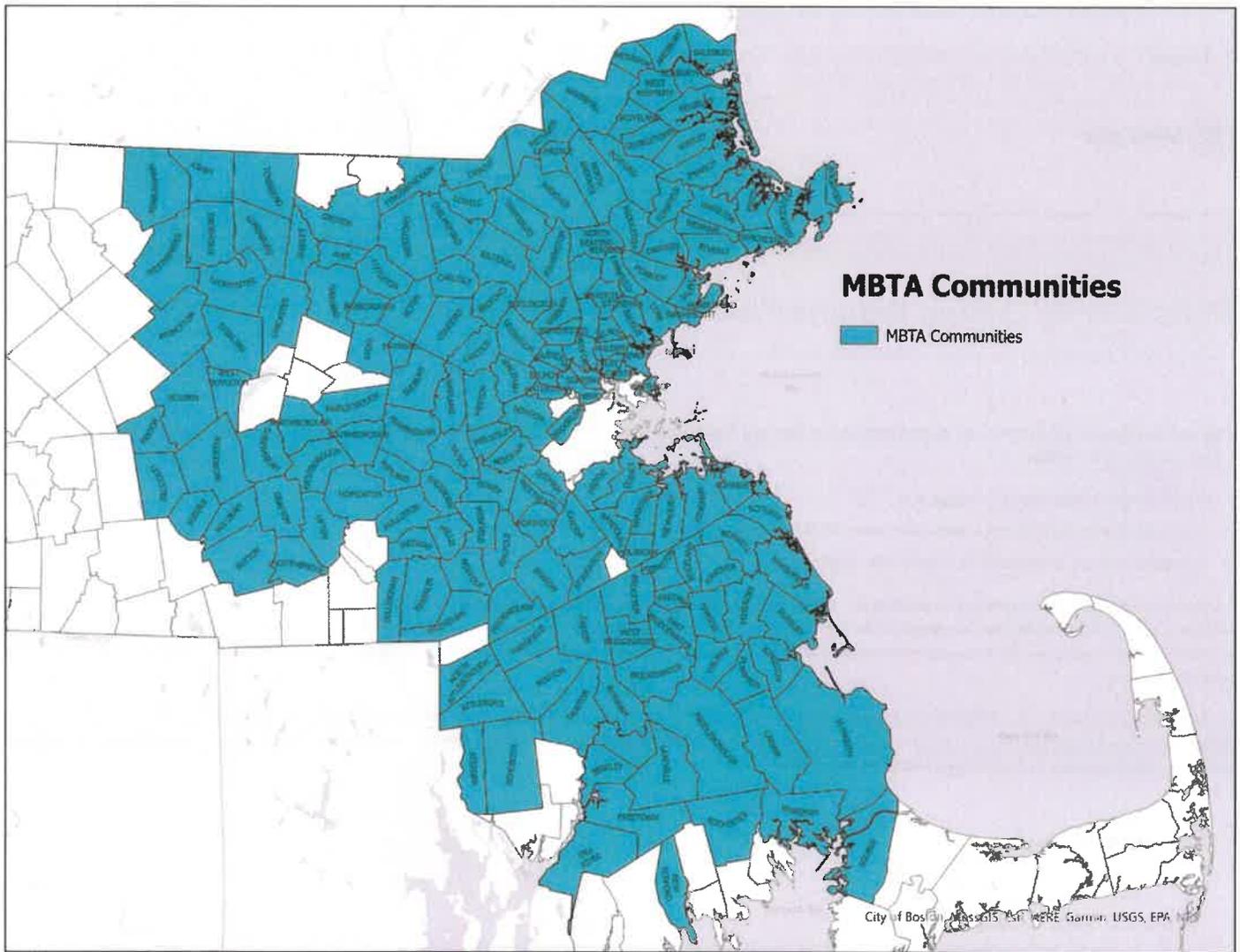
- [What is an "MBTA Community"? \(#what-is-an-\)](#)
- [Why is multi-family zoning near transit and in neighboring communities important? \(#why-is-multi-family-zoning-near-transit-and-in-neighboring-communities-important?-\)](#)
- [What is the law? \(#what-is-the-law?-\)](#)
- [Section 3A Guidelines \(#section-3a-guidelines-\)](#)
- [Compliance Model \(#compliance-model-\)](#)
- [Complying with Section 3A Guidelines \(#complying-with-section-3a-guidelines-\)](#)
- [Resources \(#resources-\)](#)
- [Contact \(#contact\)](#)

What is an "MBTA Community"?

"MBTA community" is defined by reference to Section 1 of MGL c. 161A:

- ☐ one of the "14 cities and towns" that initially hosted MBTA service;
- ☐ one of the "51 cities and towns" that also host MBTA service but joined later;
- ☐ other "served communities" that about a city or town that hosts MBTA service; or
- ☐ a municipality that has been added to the MBTA under G.L. c. 161A, sec. 6 or in accordance with any special law relative to the area constituting the authority.

In total, 177 MBTA communities are subject to the new requirements of Section 3A of the Zoning Act. While served by the MBTA, Boston is exempted from the Zoning Act, including section 3A. This is illustrated in the map below.



Why is multi-family zoning near transit and in neighboring communities important?

Massachusetts is in a housing crisis.

- Massachusetts has among the highest, and fastest growing, home prices and rents of any state in the nation.
- Rising costs have dramatically increased financial pressures on low- and middle-income families, forcing them to sacrifice other priorities in order to pay housing costs. High housing costs are a primary driver of homelessness.
- These high costs are a disadvantage as we compete economically against peer states. The risk of future job growth moving outside Massachusetts is rising due to the high costs of living.

How does creating zoning for multi-family housing help the housing crisis?

The lack of zoning for multi-family housing is a barrier for new housing development in Massachusetts. By allowing multifamily housing near transit, we can create new housing in walkable neighborhoods closer to transit. This is not just good housing policy, it is good climate and transportation policy, too. The result of transit-oriented development is:

- More housing closer to the places that we go every day, such as local shops, jobs, schools, restaurants, parks, etc.
- Better access to work, services, and other destinations by increasing mobility and utilization of public transit
- Reduced reliance on single occupancy vehicles, which helps in our larger effort to confront the climate crisis

What is the law?

The requirement is codified as Section 3A of MGL c. 40A:

Section 3A. (a)(1) An MBTA community shall have a zoning ordinance or by-law that provides for at least 1 district of reasonable size in which multi-family housing is permitted as of right; provided, however, that such multi-family housing shall be without age restrictions and shall be suitable for families with children. For the purposes of this section, a district of reasonable size

shall: (i) have a minimum gross density of 15 units per acre, subject to any further limitations imposed by section 40 of chapter 131 and title 5 of the state environmental code established pursuant to section 13 of chapter 21A; and (ii) be located not more than 0.5 miles from a commuter rail station, subway station, ferry terminal or bus station, if applicable.

(b) An MBTA community that fails to comply with this section shall not be eligible for funds from: (i) the Housing Choice Initiative as described by the governor in a message to the general court dated December 11, 2017; (ii) the Local Capital Projects Fund established in section 2EEEE of chapter 29; or (iii) the MassWorks infrastructure program established in section 63 of chapter 23A.

(c) The department, in consultation with the Massachusetts Bay Transportation Authority and the Massachusetts Department of Transportation, shall promulgate guidelines to determine if an MBTA community is in compliance with this section.

Attorney General Advisory

On March 15, 2023, Massachusetts' Attorney General Andrea Campbell issued an Advisory concerning the enforcement of the requirements imposed on cities and towns by Chapter 40A, Section 3A.

The law requires that an MBTA community shall have at least one zoning district of reasonable size in which multi-family housing is permitted as of right, and that meets other criteria set forth in the statute. Failure to comply with the law results in a loss of eligibility for the community, for certain funding programs.

The Attorney General's Advisory states "All MBTA Communities must comply with the Law." The Advisory further states that "MBTA Communities cannot avoid their obligations under the Law by foregoing this funding."

In addition, the Advisory cautions that "Communities that fail to comply with the Law may be subject to civil enforcement action" and, "Communities that fail to comply with the Law's requirements also risk liability under federal and state fair housing laws. The Law requires that MBTA Communities "shall have" a compliant zoning district and does not provide any mechanism by which a town or city may opt out of this requirement."

The Attorney General's press release and the text of the Advisory are available here:

[AG Campbell Advisory Press Release](#)

[\(/news/ag-campbell-issues-advisory-on-requirements-of-mbta-communities-zoning-law\)](#)

[Read the Attorney General's advisory about the enforcement of MBTA Communities zoning law](#)

<https://www.mass.gov/doc/advisory-concerning-enforcement-of-the-mbta-communities-zoning-law/download>

Section 3A Guidelines

Below you will find a link to the guidelines for determining compliance with Section 3A of MGL c. 40A and summary of revisions made on 08/17/2023.

[Guidelines \(PDF\)](#)

<https://www.mass.gov/doc/compliance-guidelines-for-multi-family-zoning-districts-under-section-3a-of-the-zoning-act/download>

[Guidelines \(HTML\)](#)

[\(/info-details/section-3a-guidelines\)](#)

[Guidelines with Redlines 08/17/23 \(PDF\)](#)

<https://www.mass.gov/doc/redlines-of-compliance-guidelines-for-multi-family-zoning-districts-under-section-3a-of-the-zoning-act/download>

[Summary of 08/17/23 Revisions \(PDF\)](#)

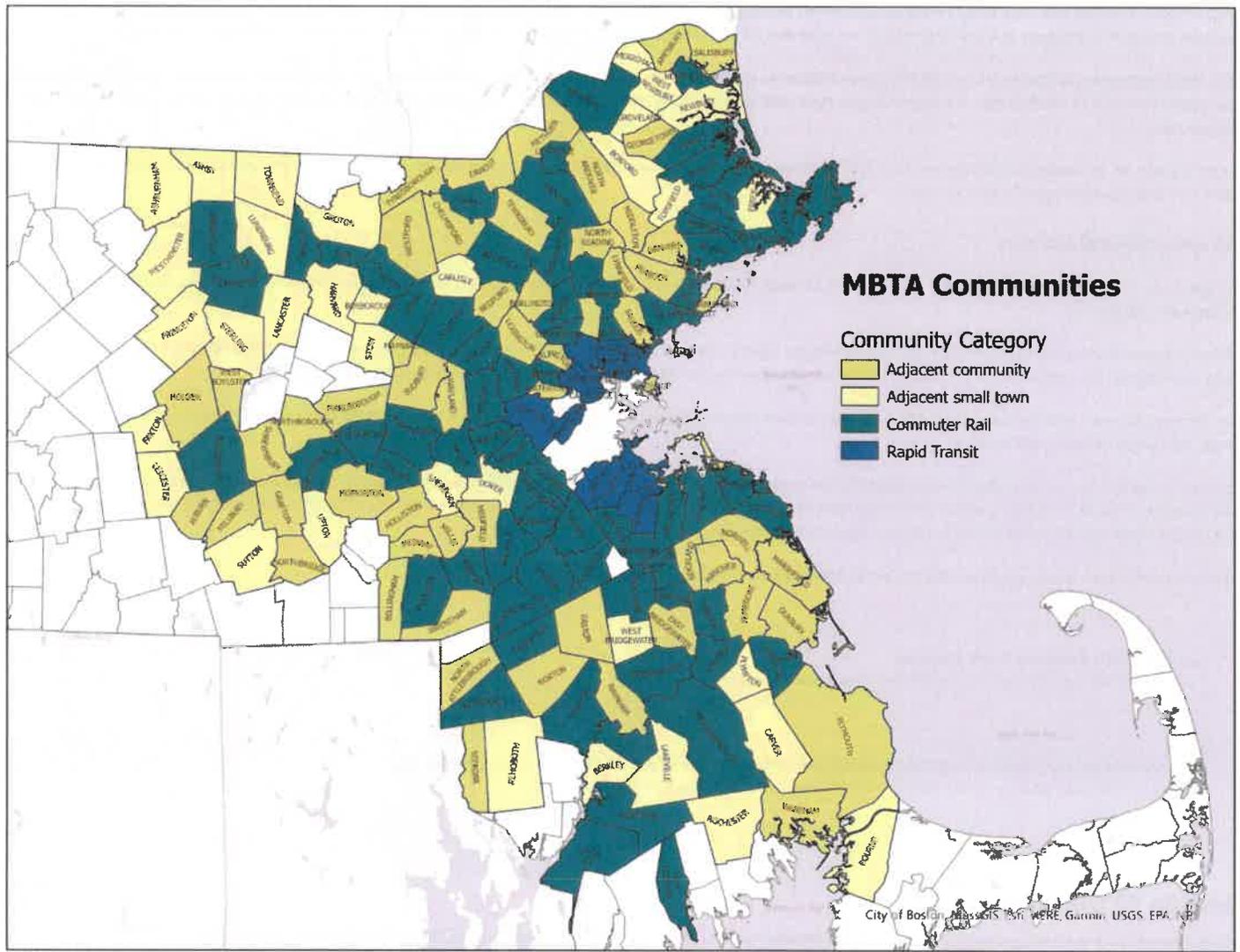
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Appendix 1 MBTA Community Categories and Requirements

Show 5 entries

Search:

Community	Community category	2020 Housing Units	Minimum multi-family unit capacity*	Unit capacity % of Total Housing units	Minimum land area**	Developable station area***	% of district to be located in station area
Abington	Commuter Rail	6,811	1,022	15%	50	307	40%
Acton	Commuter Rail	9,219	1,383	15%	50	246	20%
Amesbury	Adjacent community	7,889	789	10%	50	-	0%
Andover	Commuter Rail	13,541	2,031	15%	50	587	50%
Arlington	Adjacent community	20,461	2,046	10%	32	58	0%

Showing 1 to 5 of 177 entries

Previous 1 2 3 4 5 ... 36 Next

MBTA Communities Community Categories and Capacity Calculations for web_May

2024.csv (https://www.mass.gov/files/csv/2024-05/MBTA%20Communities%20Community%20Categories%20and%20Capacity%20Calculations%20for%20web_May%202024.csv)

* Minimum multi-family unit capacity for most communities will be based on the 2020 housing stock and the applicable percentage for that municipality's community type. In some cases, the minimum unit capacity is derived from an extrapolation of the required minimum land area multiplied by the statutory minimum gross density of 15 dwelling units per acre. In cases where the required unit capacity from these two methods would exceed 25% of the community's housing stock, the required unit capacity has instead been capped at that 25% level.

** Minimum land area is 50 acres for all communities in the rapid transit, commuter rail and adjacent community types. There is no minimum land area requirement for adjacent small towns. Where 50 acres exceeds 1.5% of the developable land area in a town, a cap has been instituted that sets minimum land area to 1.5% of developable land area in the town.

*** Developable station area is derived by taking the area of a half-mile circle around an MBTA commuter rail station, rapid transit station, or ferry terminal and removing any areas comprised of excluded land.

Additional Resources

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MBTA Communities GIS Data Submittal Standards

(<https://www.mass.gov/doc/mbta-communities-gis-submittal-format/download>)

MBTA Communities seeking assurance that proposed zoning will meet Section 3A requirements before bringing that zoning to a local legislative session may submit a pre-adoption review application. Please be advised that pre-adoption review applications must be submitted at least 90 days prior to a local legislative session to allow for a timely EOHL review.

Submit a Pre-Adoption Review Application

(</forms/pre-adoption-review-application-form>)

Instructions to Complete Pre-Adoption Application Form

(<https://www.mass.gov/doc/instructions-to-complete-pre-adoption-application-form/download>)

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Interim Compliance – Action Plan

An MBTA community that does not have zoning in place that complies with Section 3A must take active steps towards achieving compliance in order to remain eligible for certain annual funding rounds. The Guidelines allow communities to create and complete an online Action Plan form that outlines the municipality’s process for adopting compliant zoning. When the Executive Office of Housing and Livable Communities (EOHLC) approves the Action Plan, then the community will achieve “interim compliance” and will retain eligibility for the funding sources that require compliance with Section 3A.

- To remain eligible for the calendar year 2023 round of [MassWorks](#) ([/orgs/massworks](https://www.mass.gov/doc/massworks)) and [Housing Choice](#) ([/how-to/housing-choice-community-grant-program](https://www.mass.gov/doc/housing-choice-community-grant-program)) grants, as well as the [Local Capital Projects Fund](#) (<https://malegislature.gov/Laws/GeneralLaws/PartI/TitleII/Chapter29/Section2EEEB>), an MBTA community must submit an Action Plan no later than January 31, 2023.
- No MBTA community may remain in interim compliance after its district compliance deadline has passed.
- A copy of the Action Plan form and access to the online Action Plan form are available below

Submit an Action Plan

(</forms/interim-compliance-action-plan-form>)

Action Plan Form (PDF)

(<https://www.mass.gov/doc/action-plan-for-mbta-communities/download>)

Submission Statuses

The compliance status of MBTA communities and their application submissions is available in the link below. An MBTA community may have an Action Plan or District Compliance Application that has been submitted and approved, submitted and under review, or not submitted. This list will be updated as additional applications are approved or submitted.

The column titled “Adopted zoning intended for 3A compliance” includes communities that have applied for district compliance and those that have taken legislative action with the intent of achieving compliance with Section 3A but have not yet applied to EOHLC – we celebrate their achievements! Local action is one part of Section 3A compliance, and these communities need to apply for district compliance with EOHLC in order to receive a determination of compliance.

Please note, submitting a District Compliance Application is not the same as achieving Compliance which occurs when EOHLC makes such an affirmative determination.

Show entries

Search:

Municipality	Compliance Status	Compliance Details	Compliance Deadlines	Submitted for Pre-adoption review (Y/N)	Adopted zoning intended for 3A compliance
Abington	Interim Compliance	District Compliance Application in review	12/31/2024	Yes	Yes
Acton	Interim Compliance	Action Plan Approved	12/31/2024	No	Yes
Amesbury	Interim Compliance	Action Plan Approved	12/31/2024	No	No
Andover	Interim Compliance	Action Plan Approved	12/31/2024	No	Yes
Arlington	Compliant	District Compliance Application approved	12/31/2024	Yes	Yes

Showing 1 to 5 of 177 entries

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