

June 28, 2023

WHERE WE ARE WHERE WE'RE GOING

CONCORD'S MBTA COMMUNITIES
WORK AND NEXT STEPS



What we have done

Documents and Goal Setting

Housing Production Plan

Envision Concord, Bridge to 2030 Long Range Plan

Select Board Goals

For MBTA Communities

- Engaged with consultants from CHAPA (Citizens' Housing and Planning Association) and Horsley Witten to assist with both community engagement and our GIS, mapping, and zoning needs
- Created Website (concordma.gov/mbtacomunities)
- Button on front page of Town website
- Thorough FAQ
- Informational one-pagers
- Community Engagement (Social media, Concord Bridge, sandwich boards, emails, flyers, handouts, etc)
- Presentations (June 7th to Housing Roundtable)
- Planning upcoming events and materials



and we're just getting started!

MBTA Communities Timeline

June

June 7th - Virtual Housing Roundtable with Town Housing Groups from 6:30-9:00PM

June 28th - MBTA Communities Public Information Session: Harvey Wheeler Community Center 6:30-8:30PM and by Zoom

July -
August

Mapping Sessions - show us where you think multi-family zoning might be appropriate both in person and virtually

Virtual Engagement begins! Provide thoughts and feedback through online mapping (available through the fall)

September -
November

September - Draft maps and zoning comment sessions

October/November Draft Zoning reviewed by Planning Board and other Key Stakeholders

Engagement Sessions - Continue to host engagement sessions to receive community feedback on draft zoning and overlay map

December -
January

Finalize - Finalize overlay district maps and zoning

January - Warrant Closes - May Town Meeting 2024 closes, must have finalize zoning overlay district maps and zoning language submitted in early January

Engagement Sessions - Continue to host engagement sessions to receive community feedback on draft zoning and overlay map

February -
April

Engagement Sessions - Continue to host engagement sessions to help community understand and answer questions about MBTA Communities

March - Town Meeting Public Hearing - Annual public hearings will go over Town Meeting warrant articles and allow for questions and comments

April-May

Town Meeting - Town Meeting will take place in late April or early May where the Town will vote on the proposed zoning

Up Next

Next Steps

Hosting virtual sessions to:

- Draft zoning for overlay districts
- Draft maps for where zoning overlays can go

Upcoming Dates

Community Workshop on MBTA Zoning Boundary and Language:

July 26th 6:30PM-8:30PM (virtual)

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MBTA Multifamily Zoning Requirements (Section 3A)



Concord Informational Session
Wednesday June 28th, 2023



Agenda

- Introduction to Citizens' Housing and Planning Association (CHAPA)
- Zoning 101
 - What is zoning?
 - Why does it matter?
 - What impact does zoning have on our communities?
- Why was Section 3A passed?
- What are the benefits of multifamily housing?
- What are the requirements for Concord?
- What could this look like in Concord?

About CHAPA

CHAPA's mission is to encourage the production and preservation of housing that is affordable to low and moderate income families and individuals, and to foster diverse and sustainable communities through planning and community development.

What Does CHAPA Do?




Advocate for
Opportunity




Expand Access
to Housing



Develop the
Field



**Massachusetts should
always be a place where our
communities nourish us
and help us grow.**



**Right now, housing is the
single best investment every
community across the state
can make to secure the
future we all want and
deserve.**

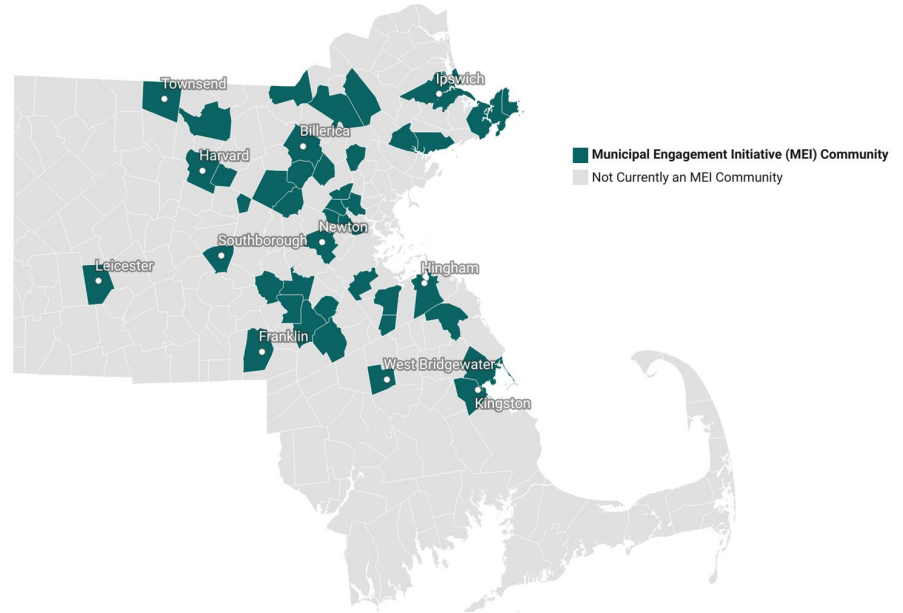
A diverse mix of homes in every part of Massachusetts plants the seeds of our long-term success:

- Protects our environment
- Improves our overall health
- Improves the quality of our childrens' education
- Strengthens our economy
- Builds wealth for everyone



Technical Assistance for MBTA Communities

- I am here tonight as a representative of CHAPA in my role as MBTA Communities Engagement Manager
- CHAPA is currently providing Technical Assistance to 40+ communities across the region
- Supporting municipal staff in their efforts around public outreach, education, and engagement



What is zoning?

A code that regulates how we can use land. Includes:

- Shape (height and size) of buildings
- Distance between buildings and other land use
- What the land can be used for
 - Residential - single or multifamily
 - Commercial
 - Industrial
 - Open Space
- Can also include requirements for things like parking, affordability, and design standards



Why does zoning matter?

- Zoning is about more than just buildings! Rules for what can be built and where determine who can live, work, and play in our communities.
- If done correctly, it is one of the most powerful tools we have to meet our goals for housing, transportation, climate, and diversity.
- Many Massachusetts communities have stringent and inflexible zoning that has made it illegal or impossible to build anything other than a single-family home.
- This pushes out people who can't afford a single-family home as well as people who *want* to live in multifamily housing.

How did our zoning become this way?

- Zoning was widely adopted in the United States in the early 20th Century for a variety of reasons, including public health
- While there were some good intentions, we cannot ignore that a lot of zoning was put in place at the same time that Jim Crow laws were being enacted across the country
- In 1921, the National Advisory Committee on Zoning published a national manual on model zoning law:

“In any housing developments which are to succeed...racial divisions have to be taken into account...if you try to force the mingling of people who are not ready to mingle and don’t want to mingle, a development cannot succeed economically”

- Frederick Law Olmsted, Jr (Massachusetts resident and noted landscape architect)

How did our zoning become this way?

- Throughout much of the 20th century, zoning was one of many tools utilized to segregate neighborhoods, pushing lower income residents into certain parts of town or even out of the community entirely
- Multifamily housing was often opposed on racial grounds, in favor of exclusively single family zoning (sometimes referred to as “exclusionary zoning”)
- The good news is that zoning for multifamily housing is a critical step towards redressing segregation and wealth inequality. Zoning got us into this situation, and it can also get us out!

What is the impact of restrictive zoning?

High Home Prices

- Restrictive zoning creates excessive barriers to building more housing, and when there is only so much housing to go around, prices will naturally skyrocket
- As of May 2023, the median sales price was \$900k for a single family home and \$726k for a condominium
- Only 1 in 12 residents in the Boston metro area has the annual income needed to buy a typical home
- Racial Wealth Gap: 70% of White households in Greater Boston own their home, compared to 37% of Black households and 31% of Hispanic households

Data from 2022 Greater Boston Housing Report Card and Greater Boston Association of Realtors Monthly Report, May 2023

What is the impact of restrictive zoning?

Traffic Impact

- Residents seeking more affordable housing options are forced to move further away from their jobs, causing them to spend more time driving
- 2022 INRIX study: Boston ranks 2nd in the country and 4th in the world for the worst traffic
- Drivers spend an average of 134 hours stuck in congestion every year
- Transportation is the greatest source of CO₂ emissions in the United States, making up 27% of overall emissions
- Building housing near transit makes it possible for future residents to live without a car, which could save them upwards of \$10k a year, according to AAA Northeast

What is the impact of restrictive zoning?

Environmental Impact

- In addition to the CO₂ emissions from cars, single family homes have a much greater carbon footprint than multifamily housing



Why was Section 3A passed?

- Growing a healthy and sustainable regional economy requires providing housing options at a variety of scales and a wide range of price points
- Decades of under-producing housing across *every* municipality has created a serious housing shortage
- High home prices are pushing out college graduates, young families, older adults, and even people with moderate incomes
- This poses a serious threat to our economy as working families are squeezed out, and many residents are leaving the state

Why was Section 3A passed?

- We leave our most important housing policy decisions to local governments, but these local governments aren't elected to think *regionally*
- Local resistance has prevented 1000s of new homes
- We need a holistic, regional approach, so state leadership stepped in to course correct
- MBTA Multifamily Zoning Requirements (Section 3A) signed into law by Charlie Baker in 2021



Why MBTA multifamily zoning law makes sense for Massachusetts
MassHousing Partnership

What does 3A do?

- Legalize multifamily housing near transit “as of right”
- Impacts all 177 MBTA Communities
 - Rapid Transit
 - Commuter Rail
 - Adjacent Community
 - Adjacent Small Town
- Minimum allowance of 15 units/acre by right
- Zone must be of “reasonable size”
- No age restrictions, must be suitable for families
- Certain % must be within 0.5 miles of transit station, if applicable

What are the benefits of multifamily housing?

- More housing options = more access + greater affordability
 - Older adults can downsize
 - College kids can come home and rent their first apartment
 - Young couples can become homeowners
 - Low income families can find housing stability
 - Middle income families have greater mobility
 - Small businesses can retain employees
 - Grandparents can stay close to their grandchildren
 - We all benefit!

What are the benefits of multifamily housing near transit?

Climate benefits:

- Reducing car reliance leads to reduced emissions
- Every year, Americans take over 22 billion driving trips that are *under a mile*
- Switching even half of these to walking trips would be the equivalent of taking 1 million cars off the road entirely

Wealth:

- Neighborhood walkability and proximity to transit is positively correlated with higher home values. Walkable communities economically out-perform car-centric communities
- Households in walkable communities spend 50% less on transportation, on average

Health:

- Walkable communities lead to fewer traffic deaths and reduced illness from pollution
- People who live in walkable neighborhoods are less likely to be obese, even considering other socio-economic factors such as age, gender, and income

What are the benefits of multifamily housing near transit?

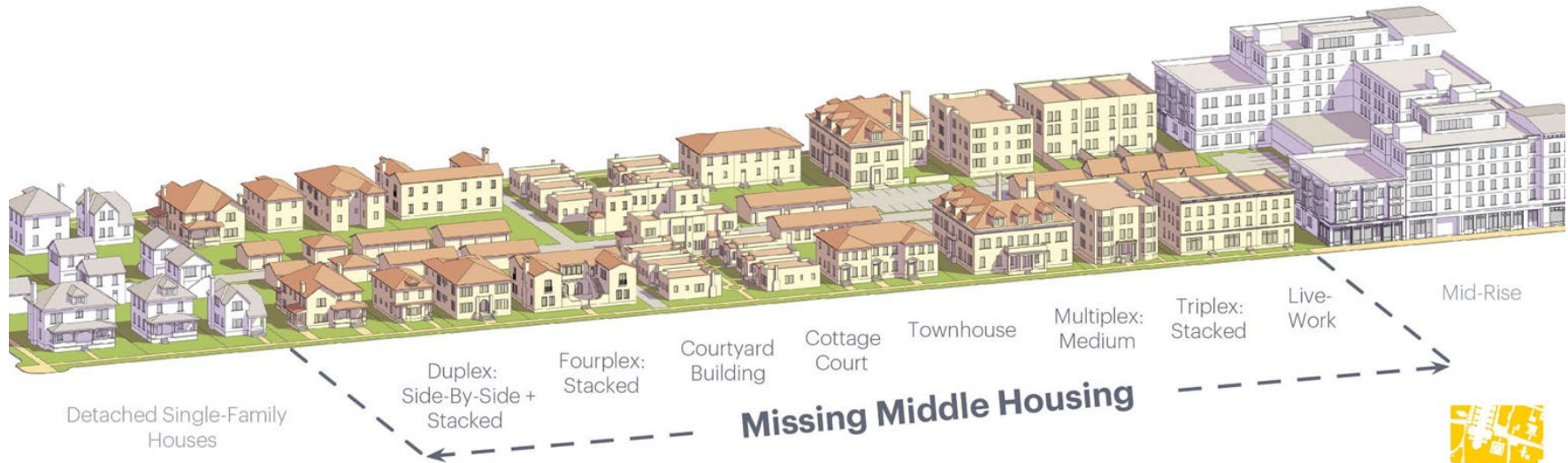
Equity:

- Walkable and transit accessible communities provide opportunities more equitably, for those who don't or can't drive, and provide autonomy for kids and older adults
- Children raised in walkable communities have greater upward economic mobility

Community:

- Walkable communities build social capital
- Research has shown that residents on streets with lower traffic are more likely to know their neighbors
- Walkable communities are positively associated with higher rates of civic engagement through voting and volunteering

Multifamily Housing can take many forms!



Missing Middle Housing = modest, gentle density housing options intended for those who are not eligible for income-restricted affordable housing but who cannot afford current market prices

What does 15 units per acre look like in Concord?



Residential Units: 2
Parcel Acreage: 0.12
Parcel Density: 17 units/acre



Residential Units: 3
Parcel Acreage: 0.17
Parcel Density: 18 units/acre



Residential Units: 2
Parcel Acreage: 0.11
Parcel Density: 17 units/acre

What does 15 units per acre look like in Concord?



Residential Units: 10
Parcel Acreage: 0.50
Parcel Density: 20 units/acre



Residential Units: 58
Parcel Acreage: 2.44
Parcel Density: 24 units/acre

What does 15 units per acre look like in Concord?



Residential Units: 88
Parcel Acreage: 4.92
Parcel Density: 18 units/acre



Residential Units: 10
Parcel Acreage: 0.63
Parcel Density: 16 units/acre



Thank you!

Lily Linke

MBTA Communities Engagement Manager, CHAPA

llinke@chapa.org

Up Next

Next Steps

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- Draft zoning for overlay districts
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Upcoming Dates

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Concord MBTA Communities Public Discussion

Process for Developing Compliant Zoning

June 28, 2023



- Horsley Witten Group (HW) – Planning and Engineering firm based in Sandwich, MA
- Jeff Davis, Senior Planner – Based in our Providence, RI office
- Providing free technical assistance to MBTA Communities through a grant managed by the Massachusetts Housing Partnership (MHP).
- ***Goal:*** Help the Town develop a zoning framework that meets local needs and complies with the MBTA Communities law.

Sec. 3A of MGL c. 40A – Reminder . . .

MBTA Communities must have at least one zoning district in which multi-family housing is permitted **by right** (*which can include Site Plan Review*) and . . .

- Minimum gross density of **15 units per acre**
- Located not more than 0.5 miles from a transit station, *if applicable*
- **No age restrictions** and suitable for families with children, i.e. no bedroom or occupancy caps
- **Parity with other uses** – multi-family housing cannot be required to meet higher standards than other permitted uses

Compliance Guidelines

Released by DHCD (now EOHLC) in August 2022

- Provides step by step instructions for compliance
- Includes a “Compliance Model” that calculates whether a municipality’s zoning and other policies comply with the law

For more information on the requirements related to Section 3A:
www.mass.gov/info-details/multi-family-zoning-requirement-for-mbta-communities

Specific compliance guidelines:

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

Affordable Housing

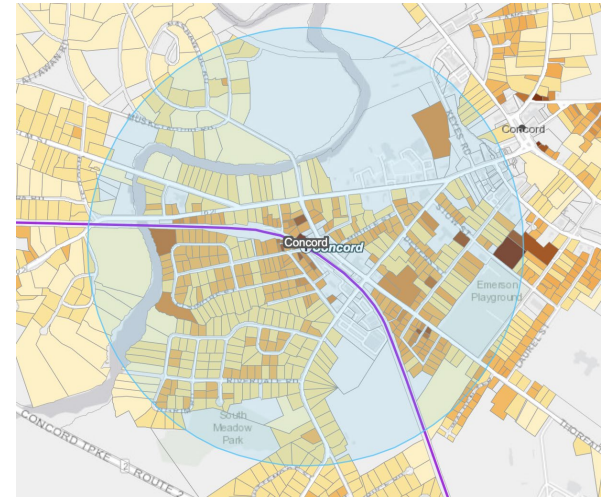
On top of the targets for housing density, the guidelines limit the amount of affordable housing that can be required

- No more than 10% of units can be affordable
- Targeted to no less than 80% area median incomes (AMI)
- Can be increased up to 20% in conjunction with a 40R district
- Or by conducting an Economic Feasibility Analysis

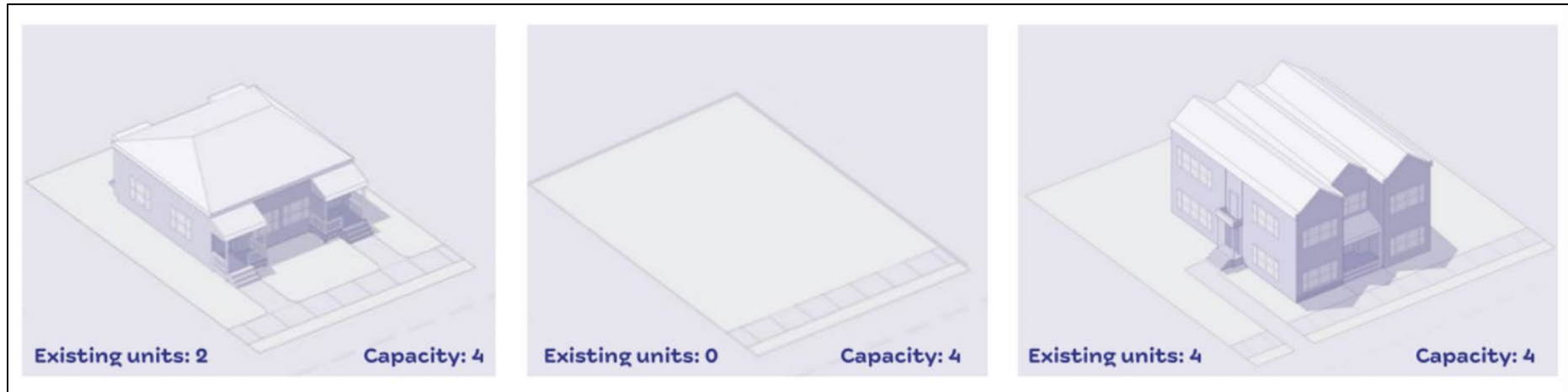
Requirements for Concord

Commuter Rail Community

- Deadline: December 31st, 2024
- Population: 17,669
- Current housing units: 7,295
- Minimum Land Area: 50 acres
- Developable Station Area: 519 acres
- Minimum Multifamily Unit Capacity: 1,094 (15% of Concord's 2020 housing stock)
- % of District to be located in Station Area (1/2 mile radius around the stations): 50%



What does zoning capacity mean?



Capacity = what could theoretically be built under the new zoning code

It is NOT a production mandate!

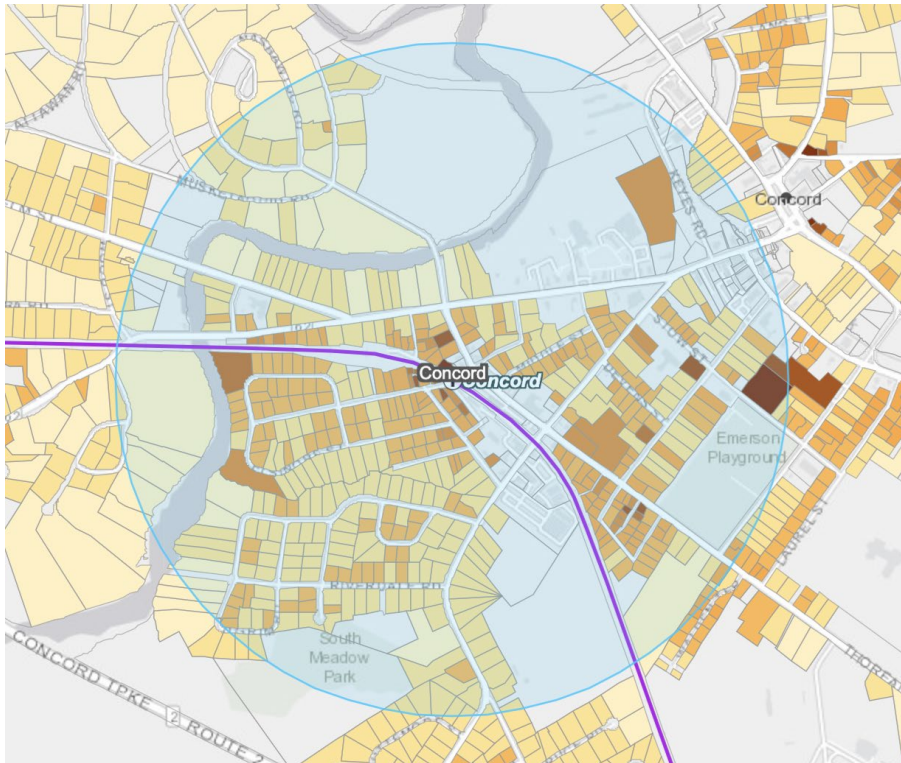
What do these targets mean?

Section 3A does NOT:

- Require that multi-family housing be built (compliance is based on zoning that meets standards)
- Compel communities to design or pay for new infrastructure to accommodate future multi-family development in a 3A district
- Supersede MA Wetlands Protection Act nor Title V of MA Environmental Code

Zoning is a menu, not a development plan

Existing Density – Concord Station



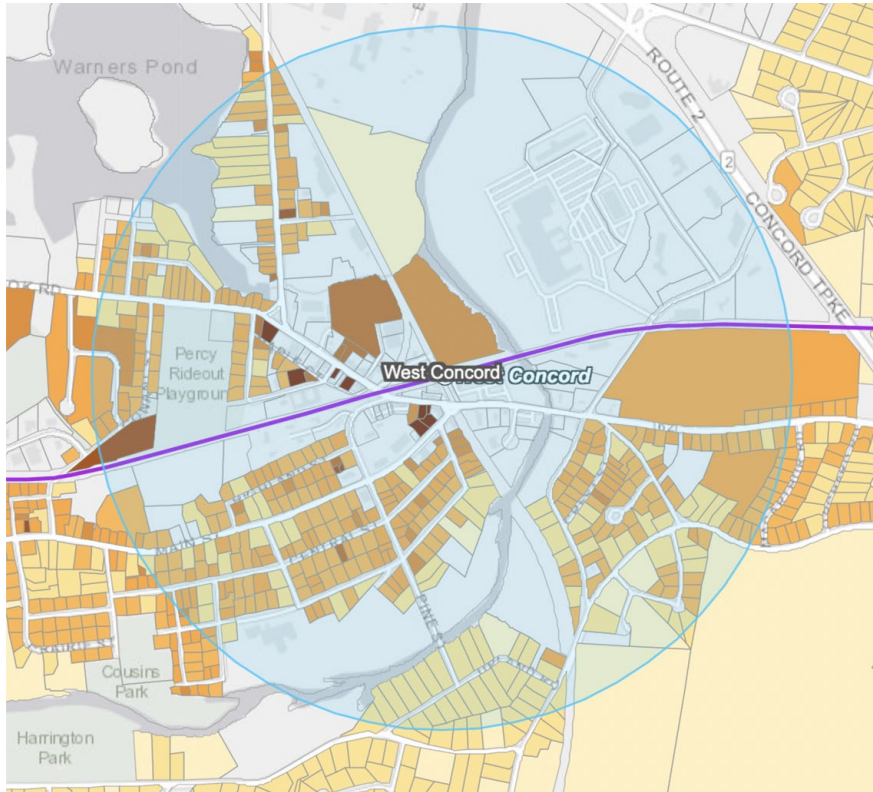
½ mile radius from station

Total Residential Units: 890

Neighborhood Area: 501.74
acres

Neighborhood Density: 1.77
units/acre

Existing Density – West Concord Station



½ mile radius from station

Total Residential Units: 1,179

Neighborhood Area: 501.74
acres

Neighborhood Density: 2.35
units/acre

Consequences of Non-Compliance

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

- Housing Choice Initiative
- Local Capital Projects Fund (Housing Authority funding)
- MassWorks Infrastructure Program

The State has indicated that compliance will be utilized as a criteria in many other State grants!

The AG has also stated that communities that fail to comply with the Law may be subject to civil enforcement action.

Testing the Compliance Model

HW will help the Town test the compliance model

Step 1: Determine district boundaries. Where might multi-family residential be appropriate? *Focus on the areas ½ mile around the two MBTA stations, but 50% can be elsewhere.*

Step 2: Determine dimensional requirements. *How tall should buildings be in this district? What setbacks? What density?*

Step 3: Ensure all zoning policy for the district complies with the law (*affordable housing, policies that would limit family-sized units, etc.*)

Step 3: Enter this data into the Compliance Model and “test” different iterations. *Help the Town find a scenario that meets its needs as well as state law.*

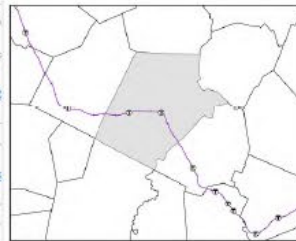
Concord Center Station Area



Concord Center MBTA Station Area



Date: 6/26/23
Source: MassGIS, Town of Concord
Note: This map is for informational purposes only and is not suitable for legal, engineering, or surveying purposes.



LEGEND

- MBTA Commuter Rail Stations
- Transit Station Area (1/2 Mile)
- Parcel Boundaries
- State Identified Excluded Land*
- MassDOT Roadways**
 - Limited Access Highways
 - Other Highways
 - Major Roads, Collectors
 - Minor Streets

* "Excluded land" as defined by the MBTA Section 3A. Guidelines, includes the following:
- All publicly-owned land, except for lots or portions of lots determined to be developable public land.
- All surface waterbodies.
- All wetland resource areas, together with a buffer zone around wetlands and waterbodies equivalent to the minimum setback required by title 5 of the state environmental code.
- Protected open space and recreational land that is legally protected in perpetuity, or that is likely to remain undeveloped due to functional or traditional use.
- All public rights-of-way and private rights-of-way.
- Privately-owned land on which development is prohibited to protect private or public water supplies, including Zone I wellhead protection areas and Zone A surface water supply protection areas.
- Privately-owned land used for educational or institutional uses.



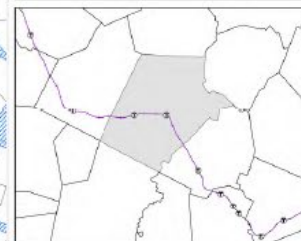
West Concord Center Station Area



West Concord MBTA Station Area



Date: 6/26/23
Source: MassGIS, Town of Concord
Note: This map is for informational purposes only and is not suitable for legal, engineering, or surveying purposes.



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What is an overlay district?

A potential approach for Concord's MBTA zoning . . .

- Superimposes an additional set of regulations over an existing zoning district or multiple zoning districts.
- Particularly helpful when you want to maintain a lot of the standards of several underlying zones, but “overlay” some common standards over all of them.
- For example, an MBTA Communities overly in West Concord could . . .
 - *Allow multi-family development by right – at least 15 units per acre*
 - *Set dimensional regulations specific to multi-family housing*
 - *While maintaining existing standards for other uses*



Thank you!

Jeff Davis

Senior Planner, Horsley Witten Group

Gabby Queenan,

Environmental Planner, Horsley Witten Group