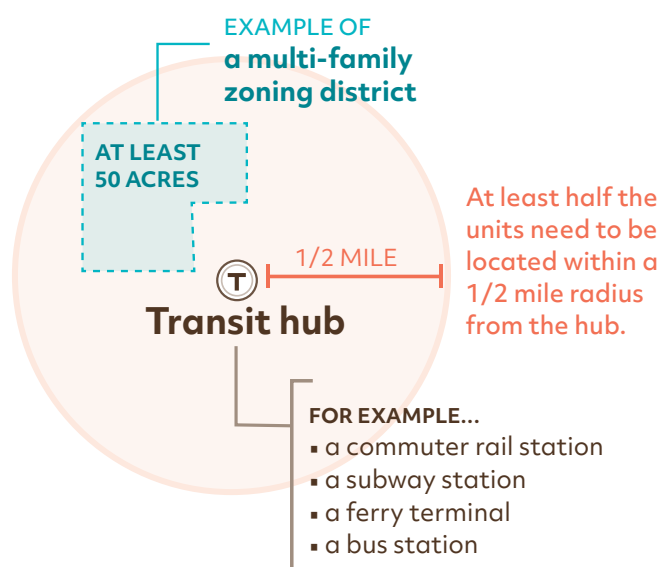


What is the MBTA Communities Law?

The MBTA Communities Law—passed in January 2021—addresses Massachusetts’ housing shortage by changing zoning near transit stops to allow development of multi-family housing.

What are the requirements?

The law requires MBTA Communities to have a **multi-family zoning district** near their transit hub.



Requirements for the new multi-family zoning districts

- Multi-family housing is permitted “by-right” (no discretionary review process)
- Zone **must be at least 50 acres**. (about 20 city blocks)
- Zoned for minimum gross density of **15 homes per acre**
- **No age restrictions**, and suitable for families with children, and no limits of number of bedrooms.

What does 15 units per acre look like?

This density requirement supports a wide range of housing types such as **townhomes, duplexes, triple deckers, fourplexes** and **small apartment buildings**. We often refer to this type of gentle density housing as **missing middle housing**.



Why is the MBTA Communities Law necessary?

Massachusetts is in a housing crisis.



Jobs are leaving Mass.

The risk of future job growth moving outside Massachusetts is rising due to the high costs of housing.



Fastest growing home prices in the nation

Massachusetts has among the highest, and fastest growing, home prices and rents of any state in the nation.



Driver of homelessness

High housing costs are a primary driver of homelessness.



Financial pressure on low- and middle-income families

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.



Disadvantage against nearby states

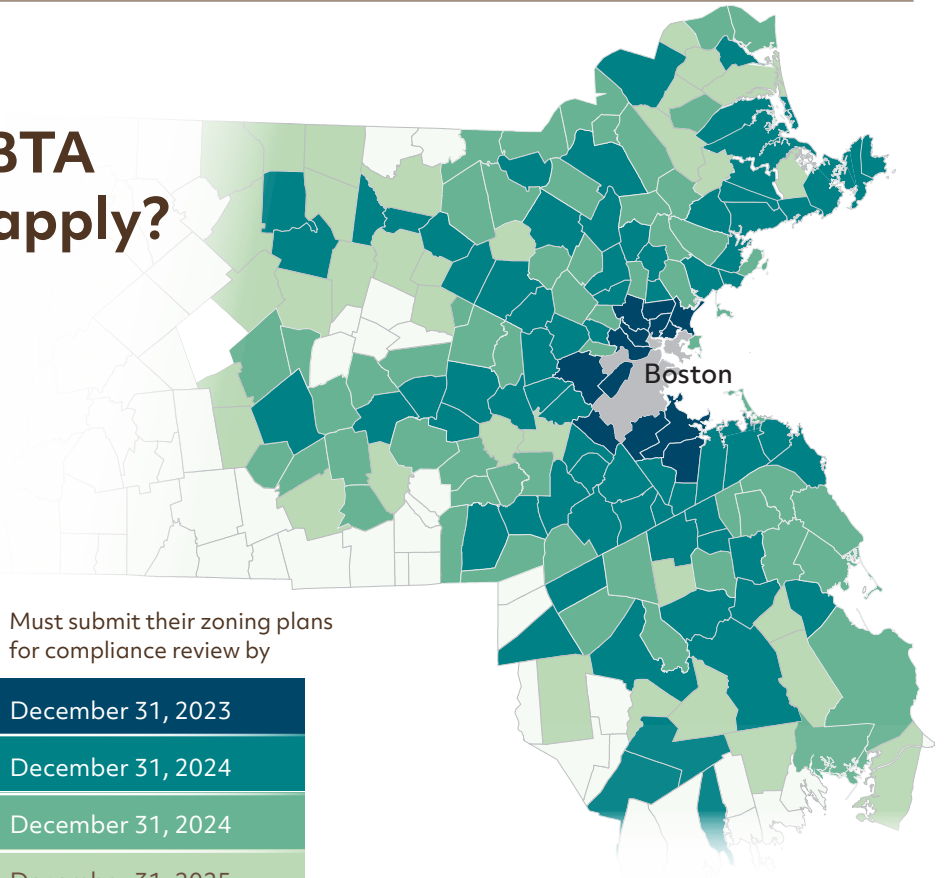
These high costs are a disadvantage as we compete economically against peer states.

How policy shapes outcomes

POLICY	OUTPUTS	OUTCOMES
 STATUS QUO Restrictive zoning codes	Massachusetts has not built enough housing.	A housing shortage which drives high home and rent prices.
 WITH THE NEW MBTA COMMUNITIES ACT Changing zoning to allow multi-family housing near transit	Creates a variety of housing options for • low and middle-income families • seniors looking to downsize • young adults looking to move back to their hometowns.	Costs of new housing will be reduced when housing does not require the time and expenses of special permitting. More housing closer to the places that we go every day, such as local shops, jobs, schools, restaurants, parks, etc. Encourages eco-friendly practices like commuting via transit. Better access to work, services, and other destinations by increasing mobility and utilization of public transit. Reduced reliance on cars, helping in our larger effort to confront the climate crisis.

Where does the MBTA Communities Law apply?

The law applies to **177 cities and towns** in Massachusetts (excluding Boston) that have or are next to communities that have MBTA transit stops.



Categories of cities/towns

Must submit their zoning plans for compliance review by

Communities on rapid transit (12)	December 31, 2023
Communities on the commuter rail (71)	December 31, 2024
Adjacent communities (59)	December 31, 2024
Small adjacent towns (35)	December 31, 2025

Towns and cities that do not comply will be ineligible for

Mass Works | Housing Choice Grant programs | Local Capital Project Funds

WHAT ABOUT

Commercial development?

Mixed-use/commercial development **may be allowed**, and encouraged, but **cannot be a mandatory pre-requisite** to develop multi-family housing.

Some towns/cities plan to include commercial/residential areas in their new districts. Towns can encourage first floor retail and commercial use through offering incentives such as density bonuses and lessened parking requirements.

WHAT ABOUT

Affordable (deed-restricted) housing?

There are **no affordability requirements** for the new zoning districts. Towns and cities **can adopt an inclusionary zoning policy** for the new zone allowing for 10% of homes set aside for residents who make 80% of the average median income.

For more stringent affordability requirements that pre-date the formation of the new zoning, towns and cities can submit for approval to the Department of Housing and Community Development. Towns and cities have the option of having a third party independent feasibility study to show if increased affordability requirements will not deter from housing production.