

CONNECTIONS TO MBTA Communities Law



TERMS LISTED IN ALPHABETICAL ORDER



Age-Restricted Housing

Developments that offer individual units for sale or rent to financially secure, healthy adults aged 55 or over. Usually offering maintenance-free living in single family homes—detached or clustered—such developments are marketed by a number of different names including active adult, retirement or lifestyle communities, depending on their amenities.

Source: CHAPA

*Newly zoned MBTA communities must ***not*** be age-restricted. Developments must not discriminate based on age of residents or limit the number of bedrooms that would make housing less family friendly.*



Affordable Housing (Deed-Restricted)

Affordable Housing is a general term used to describe any housing that is built or operated with federal or state tax credits and/or other public subsidies. All housing of this type is “deed-restricted”, meaning the properties have restrictions placed on them to ensure they are rented or sold only to financially eligible individuals or families.

The new Multi-family zoning districts do not have to have Affordable Housing requirements.



Area Median Income (AMI)

To determine housing eligibility for Affordable Housing, government programs use an estimated median income, adjusted for family size, by metropolitan area (or county, in non-metropolitan areas). AMI is updated annually by the US Department of Housing and Urban Development (HUD).

Source: Massachusetts Housing Partnership

MBTA communities are allowed to designate 10% of homes in the new MBTA multifamily district for families that earn 80% AMI. If a town or city wants to increase homes for those who earn less than 80% AMI, it is possible to have an independent economic analysis to ensure that increased affordability will not deter housing production.



As of right or by-right zoning

A zoning code is considered “By-Right” or “As-of-right” if the approvals process is streamlined so that projects that comply with the zoning standards receive their approval without a **discretionary review process**.

Source: Opticos Design

MBTA communities are required to designate zoning by right for multi-family housing near transportation to bypass special permitting requirements that make homes more expensive for the future buyers or renters.



Discretionary review process

This process refers to a formal procedure implemented by local governments or planning departments to assess and make decisions on certain types of development proposals or projects. Local government has the power to approve or deny a project during this process. The subjective process adds time and higher cost for developers in the pre-development phase.



Exclusionary zoning

Exclusionary zoning policies allow only single family homes on large minimum lots and restrict lower-cost or higher-density housing options, consequently limiting racial and economic diversity and raising housing costs. Once established, residential segregation persists and slows economic mobility for residents of all races.

Source: Urban Institute



Inclusionary Zoning

A local zoning ordinance that either requires or encourages a developer to include deed-restricted Affordable Housing as part of a development, or contribute to a fund for such housing. The ordinance may provide incentives such as increased density, reduced parking requirements, or expedited permitting in exchange for the affordable housing.

Source: Massachusetts Housing Partnership



Missing Middle Housing

Refers to building types such as duplexes, fourplexes, cottage courts, and courtyard buildings, that provide diverse housing options and support locally-serving retail and public transportation options.

We call them “Missing” because they have typically been illegal to build since the mid-1940s and “Middle” because they sit in the middle of a spectrum between detached single-family homes and mid-rise to high-rise apartment buildings, in terms of form and scale, as well as number of units and often, affordability.

Source: Missing Middle Housing

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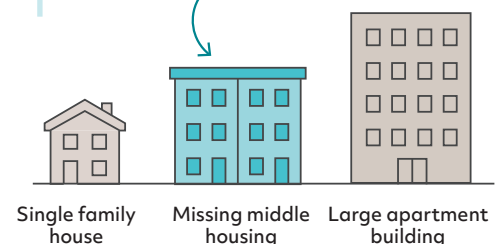
MBTA communities forgo discretionary review processes, which are contributing to housing crises by increasing the cost and delivery rate of housing, and often directly preventing needed housing from getting built.

MBTA communities are an antidote for the problems associated with exclusionary zoning. MBTA Communities offer towns the opportunity to build multifamily, not single family homes in the new district.

There are no affordability requirements under the MBTA Communities Law.

However, 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 (AMI).

MBTA Communities Act supports the development of Missing Middle Housing.



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Mixed Use Development

Projects that combine different types of development such as residential, commercial, office, industrial and institutional into one project.

Source: Massachusetts Housing Partnership



Multi-Family District

A multi-family district refers to a designated area within a city or town that is zoned for the development of residential buildings intended to accommodate multiple households, typically in the form of apartment complexes, townhouses, or condominiums. It is characterized by a higher population density and a mix of housing types designed to accommodate diverse housing needs.



NIMBY/YIMBY

“Not In My Back Yard” refers to opponents of new housing or other developments in local neighborhoods and towns.

In contrast, “Yes In My Back Yard” refers to pro housing resident advocates who welcome new homes and increased infill development in their communities.



Transit Oriented Development

Mixed-use higher density development centered on existing or new transportation facilities including bus, rail, bicycle and pedestrian pathways.

Source: Massachusetts Housing Partnership



Zoning Capacity

The number of units a community is required to zone for a specific district. Zoning capacity is a legal designation of allowed buildings; an estimated count of technically allowed dwelling units. The zoning capacity for a whole district is calculated by adding up the zoning capacities of each existing land parcel within the district. Zoning capacity is not a home production goal, a count of existing homes, nor a projection of the number of homes that might be built under the zoning.

Source: Commonwealth Magazine

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Mixed use development may be allowed in MBTA Communities but cannot be a mandatory pre-requisite to develop multi-family housing.

MBTA communities will have at least one zoning district of reasonable size in which multi-family housing is permitted as of right. These new zoning districts will be not more than ½ mile from a transportation hub and will allow for a minimum gross density of 15 homes per acre.

*MBTA communities are a way to say, **YES** for more housing and more diverse housing options in our communities.*

MBTA Communities Law supports the creation of Transit Oriented Development.

MBTA communities each have a new Zoning Capacity for their Multi-family district that is based on a number of factors including the current number of existing homes in the town/city and whether the town is a rapid transit, commuter rail or adjacent community.