

# As-of-Right Multi-Family Housing Zoning District

To Comply With MBTA Community Zoning  
Requirement (Section 3A)

Select Board Meeting – June 26, 2023

# Section 3A of the Zoning Act

- New Section 3A of Zoning Act enacted in 2021
- 2022 DHCD (Now HLC) issued final guidelines for compliance with Section 3A
- Goal of Section 3A requirement is to combat the State's housing crisis by allowing more housing near transit. HLC's website provides the following points:
  - 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.

# Wilmington's Section 3A Requirements

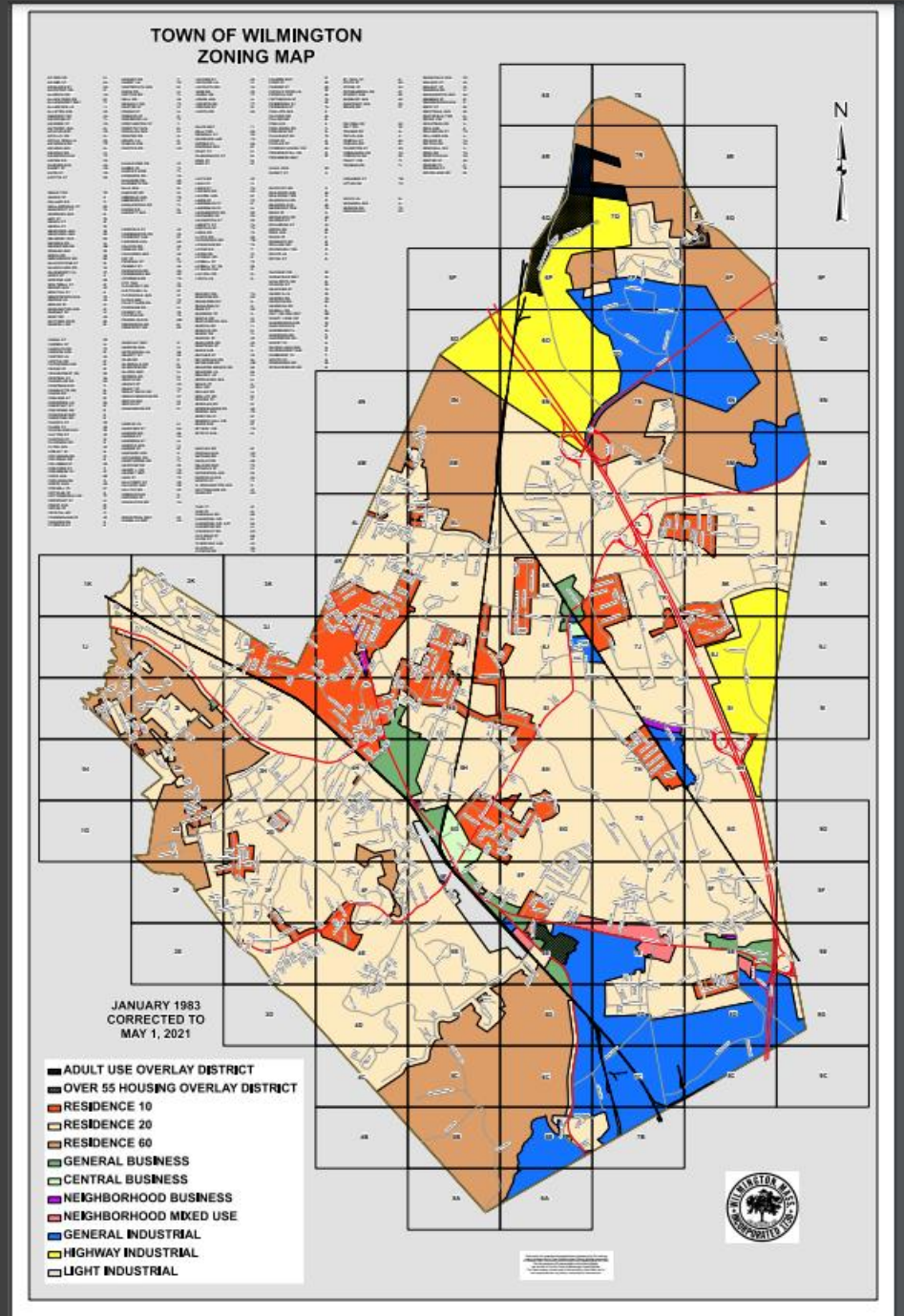
- Zoning District of at least 50 acres
- Zoning District with capacity for at least 1,248 units
- 50% of unit capacity must be within ½ mile of MBTA station
- Minimum Gross Density of 15 units/acre
- District must be in place by end of 2024

## AG's Recent Advisory Concerning Enforcement of the MBTA Communities Zoning Law

- MBTA Communities “shall have” a compliant zoning district – no opt out
- Civil enforcement action
- Liability under federal and state fair housing laws

# Zoning Generally

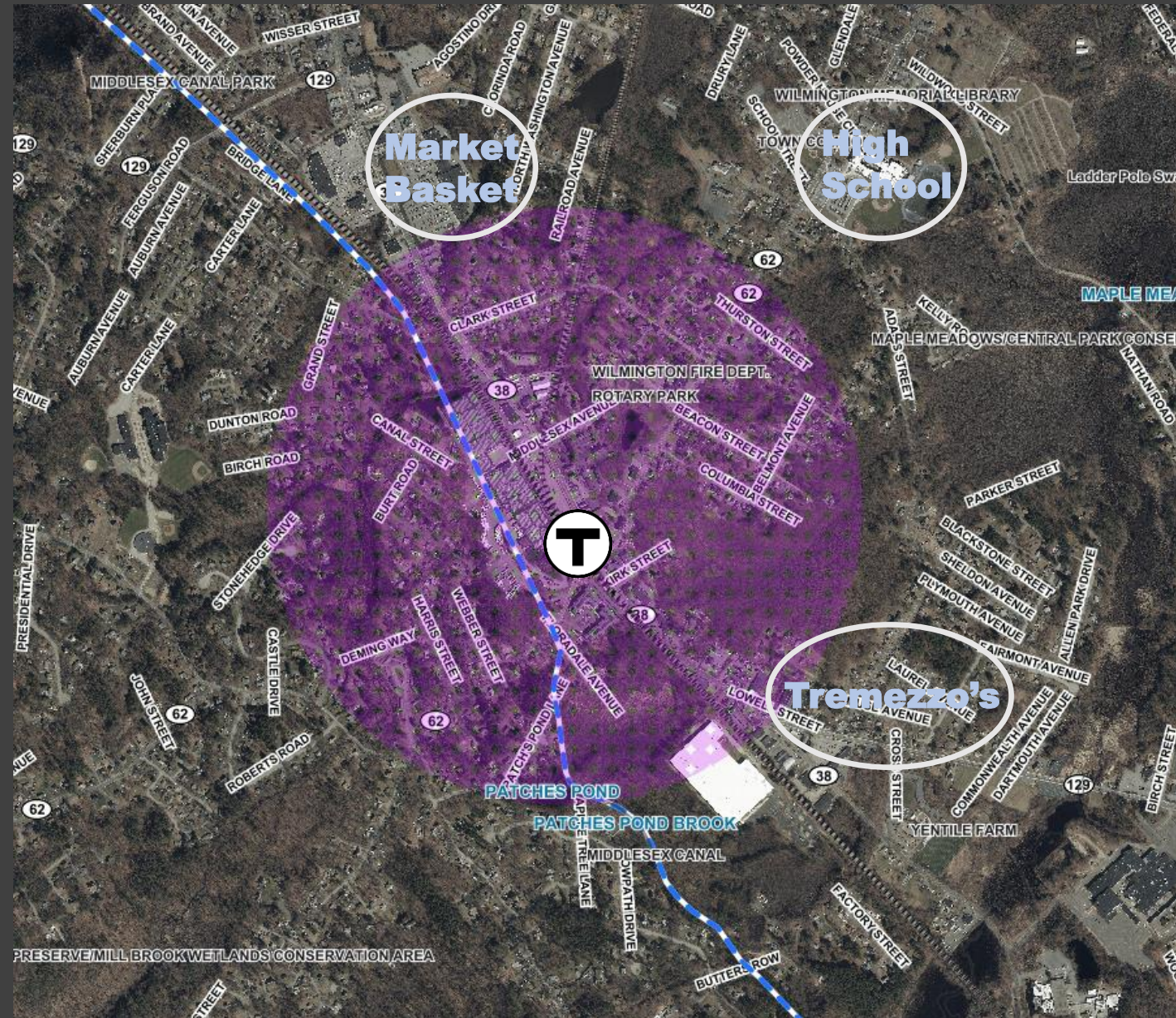
- District Location
- District Zoning Parameters
  - Uses
  - Open space
  - Setbacks
  - Height
  - Parking





# Methodology for Siting the Zoning District

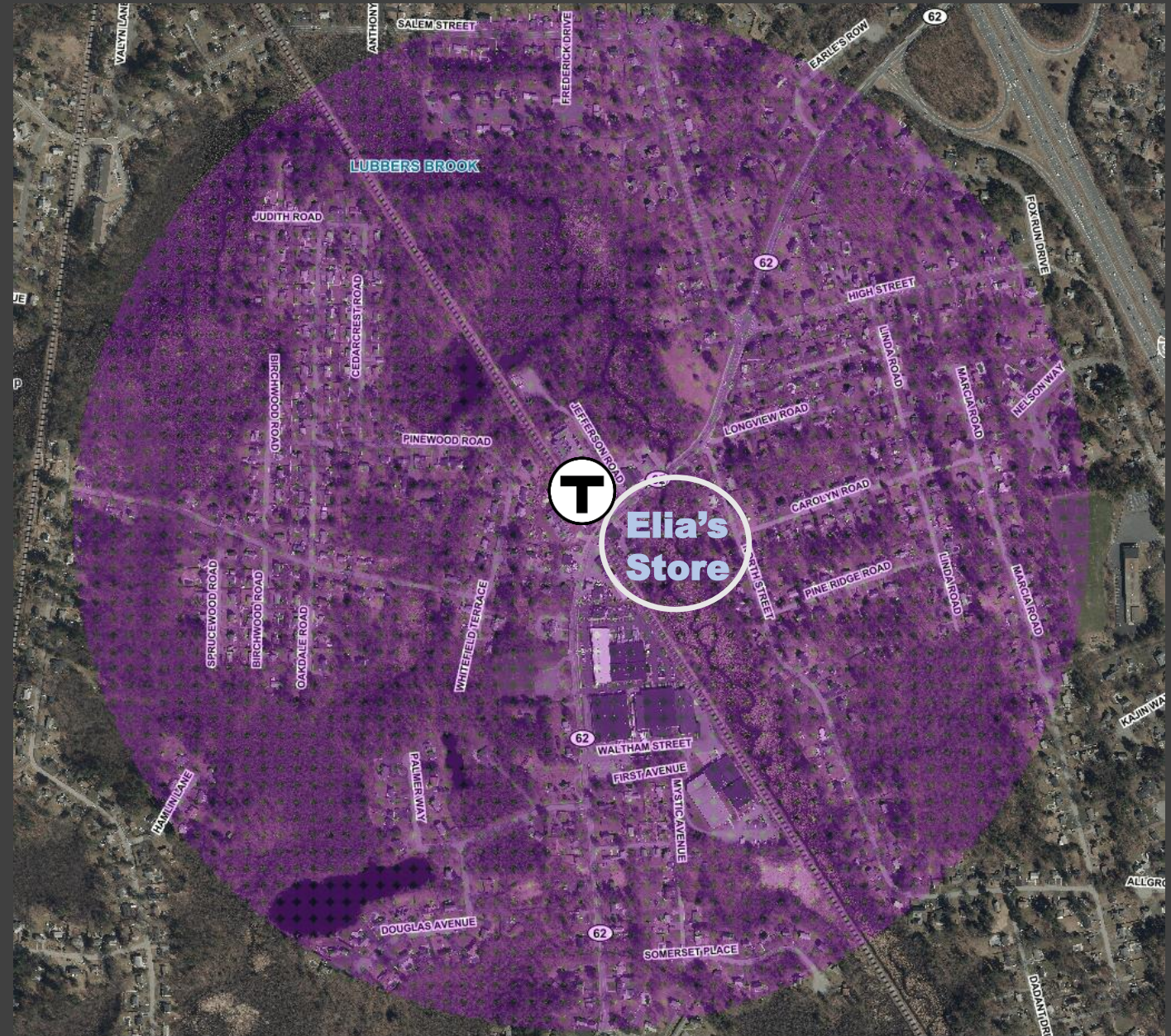
- Locations within ½ mile of commuter rail station are preferred (and 50% required) to optimize commuting options and possibly decrease parking
- Focus on existing commercial and multi-family areas and avoid single-family neighborhoods
- Identify where more acceptable to have possibility of no commercial





# Methodology for Siting the Zoning District

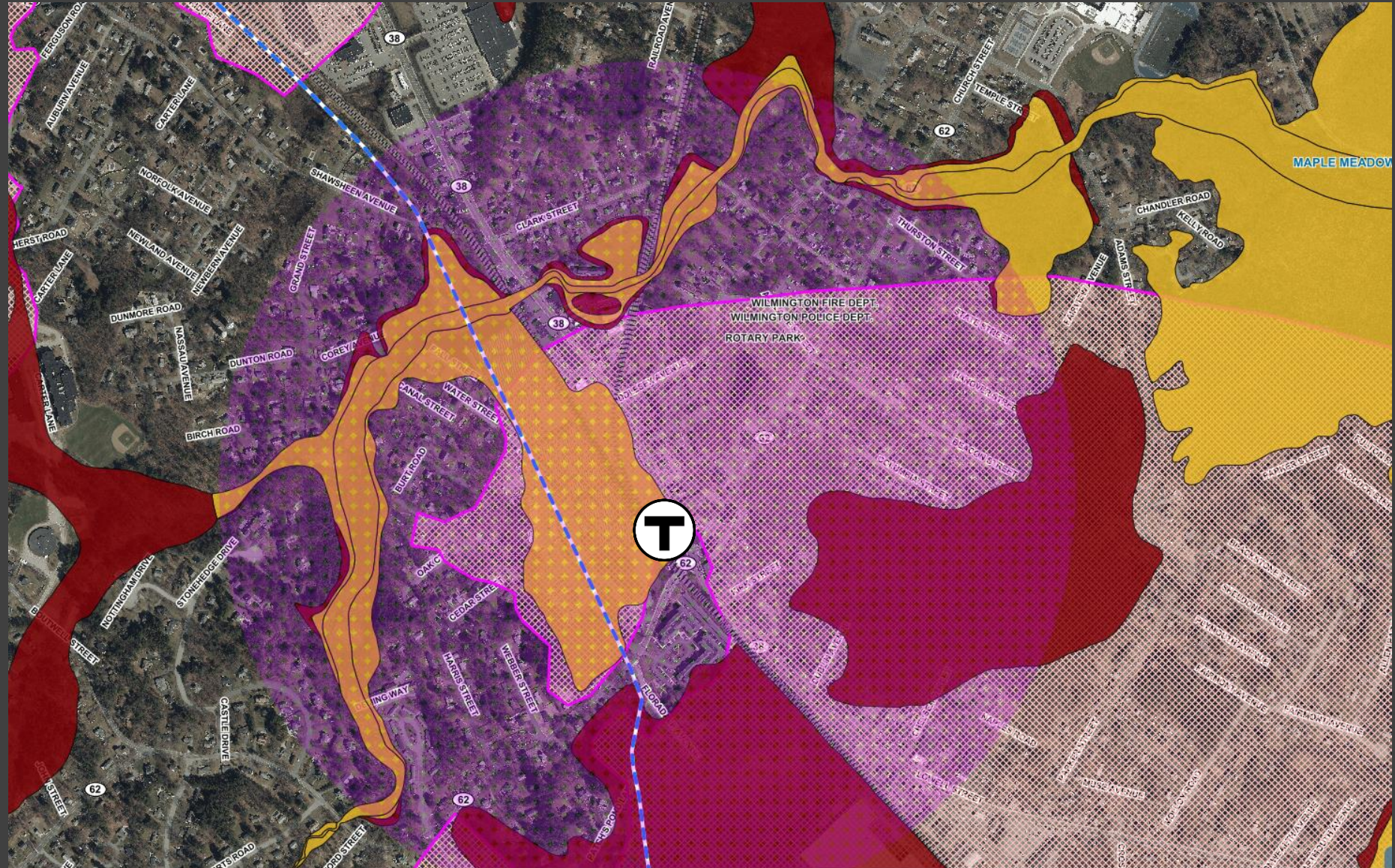
- Avoid Groundwater Protection District (GWPD), where special permit is required for >15% impervious area
- Avoid Floodplain District, where special permit is required





# Possible Locations – Main Street

- Proximity to MBTA
- Existing Commercial
- Avoid GWPD
- Avoid Floodplain District





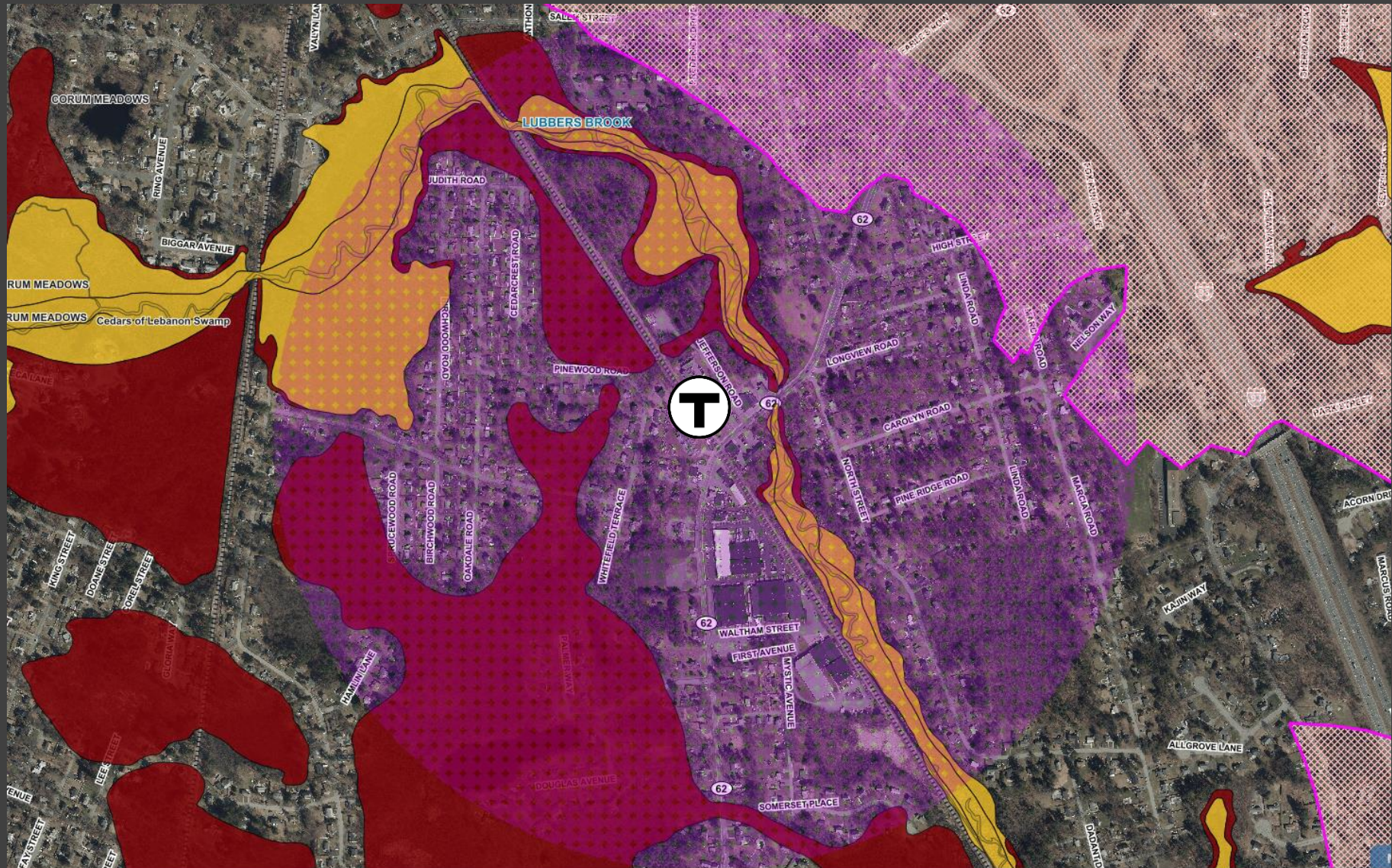
# Possible Locations – Main Street





# Possible Locations – Jefferson Road

- Proximity to MBTA
- Existing Commercial/Multi-Family
- Avoid GWPD
- Avoid Floodplain District





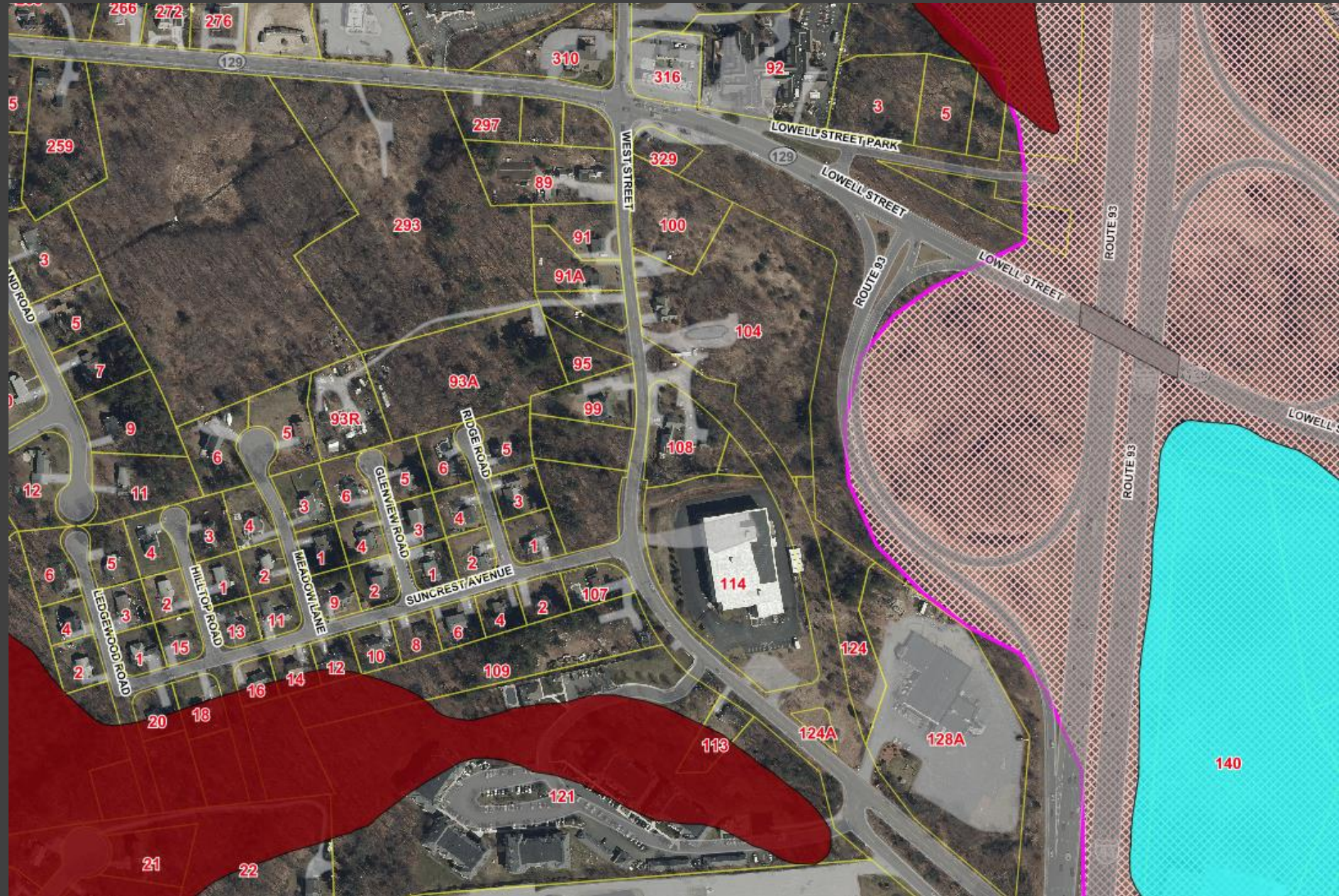
# Possible Locations – Jefferson Road





# Possible Locations – West Street

- Predominately Multi-family/ Commercial
- Avoid GWPD
- Avoid Floodplain District



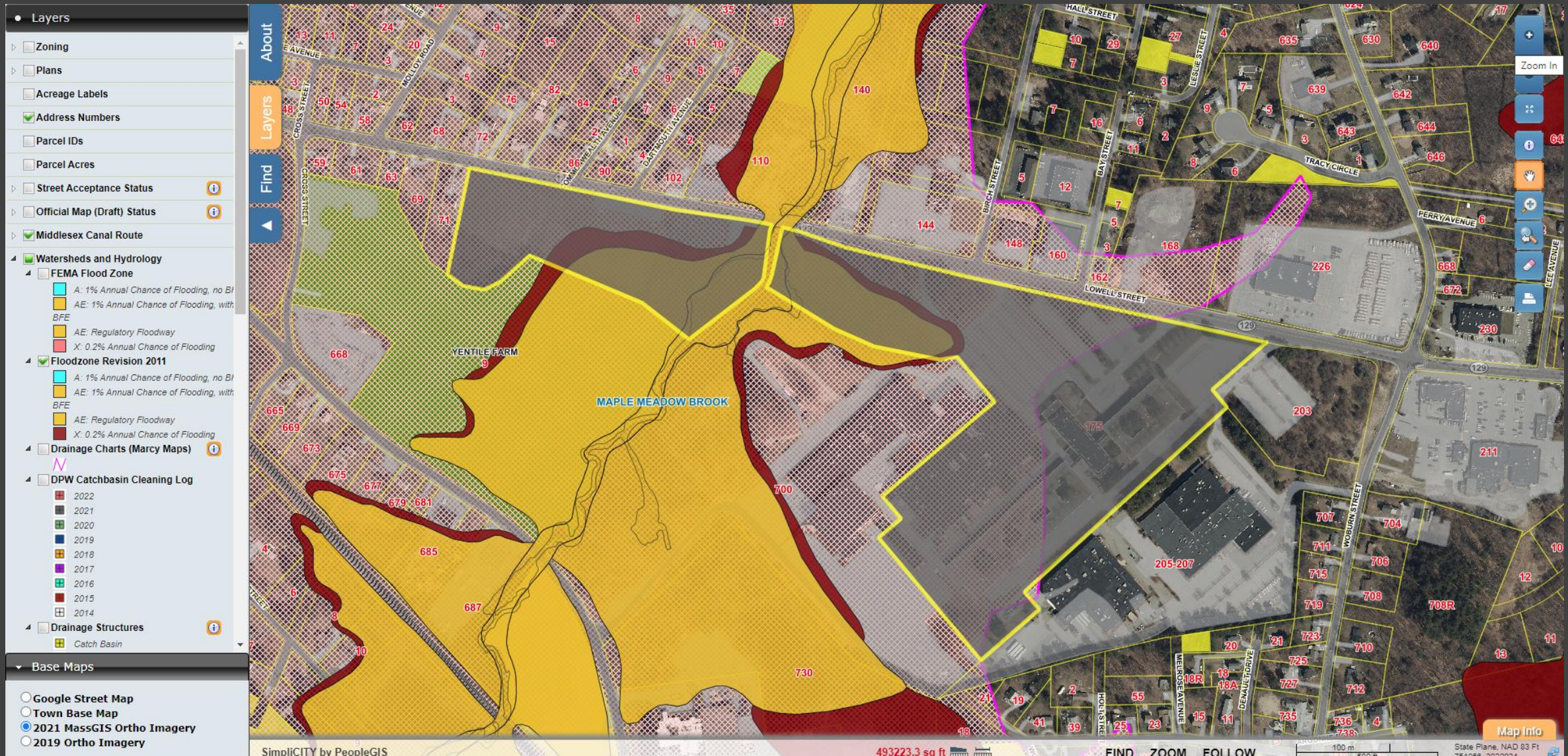


# Possible Locations – West Street





# Possible Locations – 175 Lowell Street





# Zoning Parameters

- Open space
- Setbacks
- Height – Should height be limited to three stories (as currently allowed) or should it be four stories to increase the number of units on a parcel, theoretically reducing the size of the district?
- Parking Spaces – Should the typical 2 spaces per unit be required, or should parking in proximity to the commuter rail be reduced?



# Zoning Parameters

- HLC's Compliance Model Spreadsheet

AutoSave 3A Compliance Model Main and Jefferson and West 6-22-23 Valerie Gingrich

File Home Insert Draw Page Layout Formulas Data Review View Help Acrobat

Calibri 11 A' A' Wrap Text Merge & Center \$ % ' " # & \* ~ Conditional Formatting Styles Cells Editing

Checklist - District Parameters

Municipality: Wilmington

Community Type: Commuter Rail

Context: 0

Step 3. Input the parameters from your zoning in this section. Your district(s) may not have all the parameters shown. Enter only what is in your zoning bylaw/ordinance. If the requested standard does not apply, please leave the box blank - do not enter N/A or 0.

Categories Notes District 1 Main Subdistrict District 2 Jefferson Subdistrict District 3 West Street Subdistrict

1. Allowable Residential Building Types

Question Guidance: Does this zoning district allow the residential building types listed to the right? (Use the drop-down boxes to answer in the Y/N column.)

Building type and density Y/N Please explain your response.

Three-family? Y

Four-family? Y

Five or more dwelling units per lot? Y

If your zoning does not have a maximum, leave this blank and explain. What is the maximum number of units per lot? No Max

2. Lot Size

Question Guidance: The size of the minimum lot in this district. If there is no minimum, enter 0.

Minimum Lot Size (in square feet) 0

Base Minimum Lot Size (in square feet)

Additional Lot Square Footage by Dwelling Unit (in square feet)

3. Restrictions on Building Volume

Question Guidance: Please indicate any requirements for lot size in square feet based on the building type and provide an explanation in the Response column. If you have a district-wide minimum lot area per dwelling unit, please add that in.

Building Height (in stories) 3 35 feet

4. Height

Question Guidance: If the building height is in feet, please convert to stories based on the requirements in the building code or your zoning definitions. Add the number of feet to the Response column.

Building Height (in stories) 3 35 feet

5. Notes

6. Summary

AutoSave 3A Compliance Model Main and Jefferson and West 6-22-23 Valerie Gingrich

File Home Insert Draw Page Layout Formulas Data Review View Help Acrobat

Default 12 12 100% Zoom

MBTA District Calculations

District 1 Unit Compliance Calculator

Community Name: Wilmington

Required Units for Compliance: 1,248

District 1 Summary Calculations

	Number	% of Total
District Acreage Denominator	32	0.0%
Total Parcels	990	100.0%
Parcel Acreage	419,781	54.0%
Total Built Square Feet	448,433	57.4%
Multi-Family Unit Capacity	197,767	25.4%
DUI/AC	0.00	0.0%

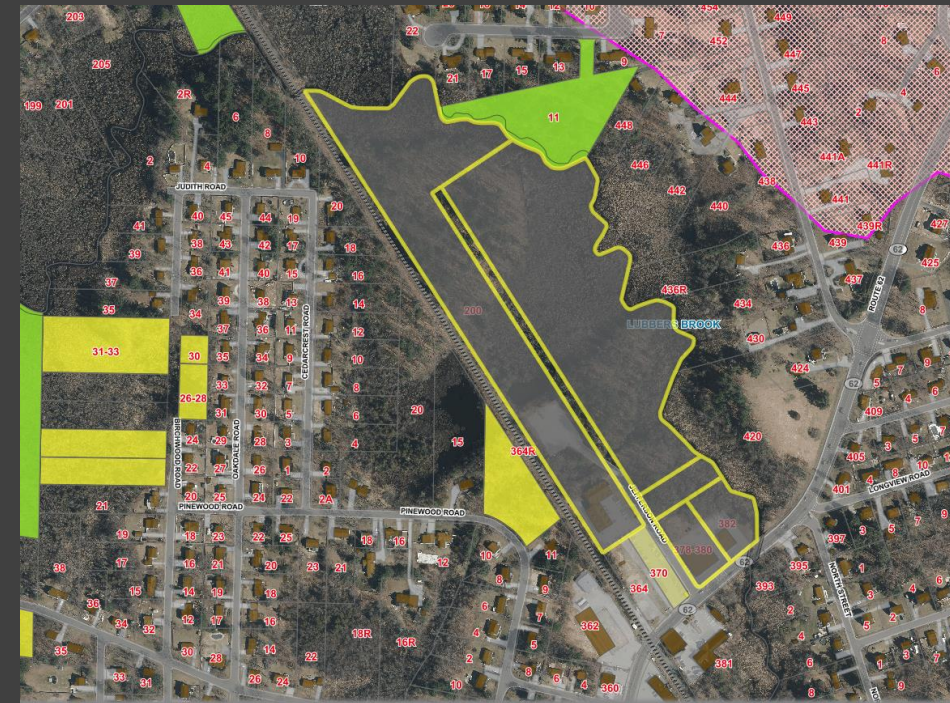
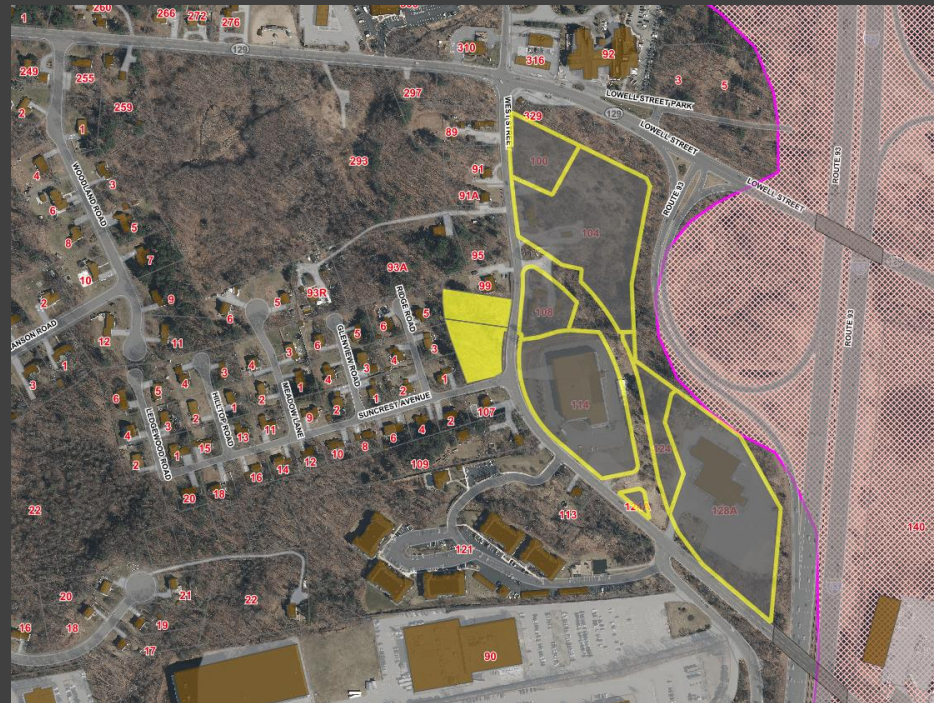
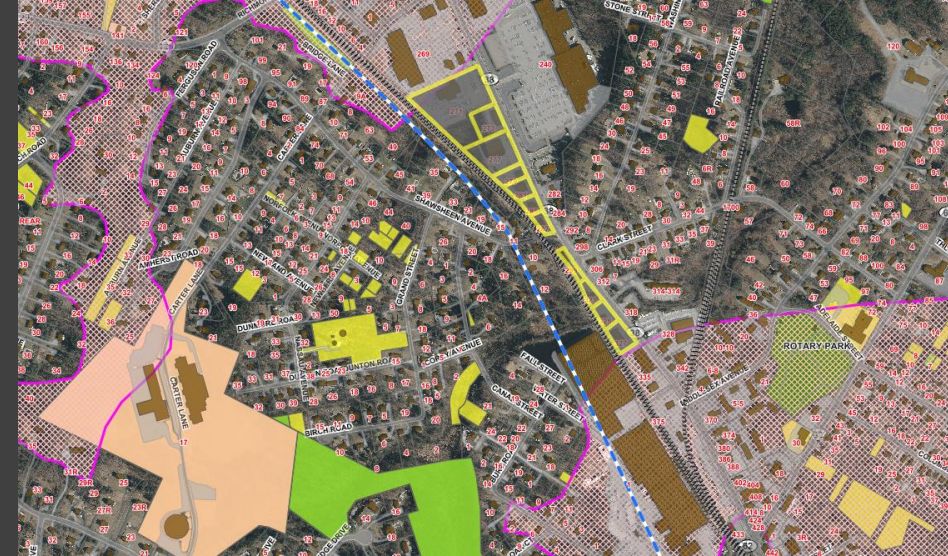
Parcel Information from Land Database

FID	LOC_ID	Address	Owner	Existing Use Codes	Existing Use Descriptions	Transit Station	Parcel Acres	Parcel #	Excluded Public	Excluded NonPublic	Total Excluded Land	Total Sensitive Land	Developable Parcel #	Override Developable
7	M_22645	209 MAIN ST. MAIN ST. WILMINGTON 209 MAIN STREET			3400 General Office Buildings	Y	0.275055419	12014 09403	0	0	0	0	12,231.406	0.00
8	M_22646	321 MAIN ST. MAIN ST. WILMINGTON SMS FAMILY UNIT			3200 Eating and Drinking Establishments - restaurants, diners, etc.	Y	0.335017498	14593 3622	0	0	0	0	14,593.36	0.00
9	M_22625	327 MAIN ST. (327 329 331, MAIN ST. ELOPOULOS CHRI			3200 Small Retail and Services stores (under 10,000 sq. ft.)	Y	0.588102393	25917 74022	0	0	0	0	25,917.74	0.00
10	M_22626	279 MAIN ST. MAIN ST. WILMINGTON CRETE, LLC			3200 Eating and Drinking Establishments - restaurants, diners, etc.	Y	0.462392355	20147 79872	0	0	0	0	20,147.80	0.00
11	M_22628	277 MAIN ST. MAIN ST. WILMINGTON AUBUCHON REAL			3220 Discount Stores, Junior Department Stores, Department S	Y	1.615654809	70377 92347	0	13984 35685	13984 35685	0	56,393.57	0.00
12	M_22631	281 MAIN ST. MAIN ST. WILMINGTON S & C REALTY RG			3200 Small Retail and Services stores (under 10,000 sq. ft.)	Y	0.492223847	21441 27814	0	0	0	0	21,441.28	0.00
13	M_22633	285 MAIN ST. MAIN ST. WILMINGTON STOBAN REGISTE			3200 Small Retail and Services stores (under 10,000 sq. ft.)	Y	0.313555978	13527 69959	0	0	0	0	13,527.60	0.00
14	M_22639	287 MAIN ST. MAIN ST. WILMINGTON 41 BOSTONIA LLC			3320 Auto Repair Facilities	Y	0.302404727	13172 74989	0	0	0	0	13,172.75	0.00
17	M_226176	271 MAIN ST. MAIN ST. WILMINGTON PATTI C & MCMA			3300 Automotive Vehicles Sales and Service	Y	3.973513034	173086 2496	0	30138 93087	30138 93087	16511 91322	142,947.31	0.00
18	M_226492	325 MAIN ST. MAIN ST. WILMINGTON SANNAAS ATHAM			3200 Eating and Drinking Establishments - restaurants, diners, etc.	Y	0.425702196	18543 68591	0	5321 11029	5321 107362	5960 943072	18,222.48	0.00
19	M_22624	273 MAIN ST. MAIN ST. WILMINGTON HESS RETAL, STD			3340 Gasoline Service Stations - providing engine repair or ma	Y	0.864615562	37952 56975	0	12452 37445	12452 37445	0	25,210.19	0.00
20	M_226800	375 MAIN ST. MAIN ST. WILMINGTON MASS BAY TRAN			6200 Comm. Of Mass. (Other, non-reimbursable)	Y	8.215156809	357852 2219	357984 4369	368386 805	357984 4314	30454 3179	0.00	0.00



# Compliant Example – Main, West, Jefferson

- Height = 3 Stories
- Open Space = 20%
- Parking = 2 spaces per unit, 1.5 spaces on Main St
- Setbacks:
  - Front = 20'
  - Side = 10'
  - Rear = 15'





# Community Outreach

- Information about Section 3A Requirement
- Location(s)
- Zoning Parameters and Tradeoffs (Height, Setbacks, Parking, etc.)
- Affordable Housing Component
- Design Standards



# Community Outreach

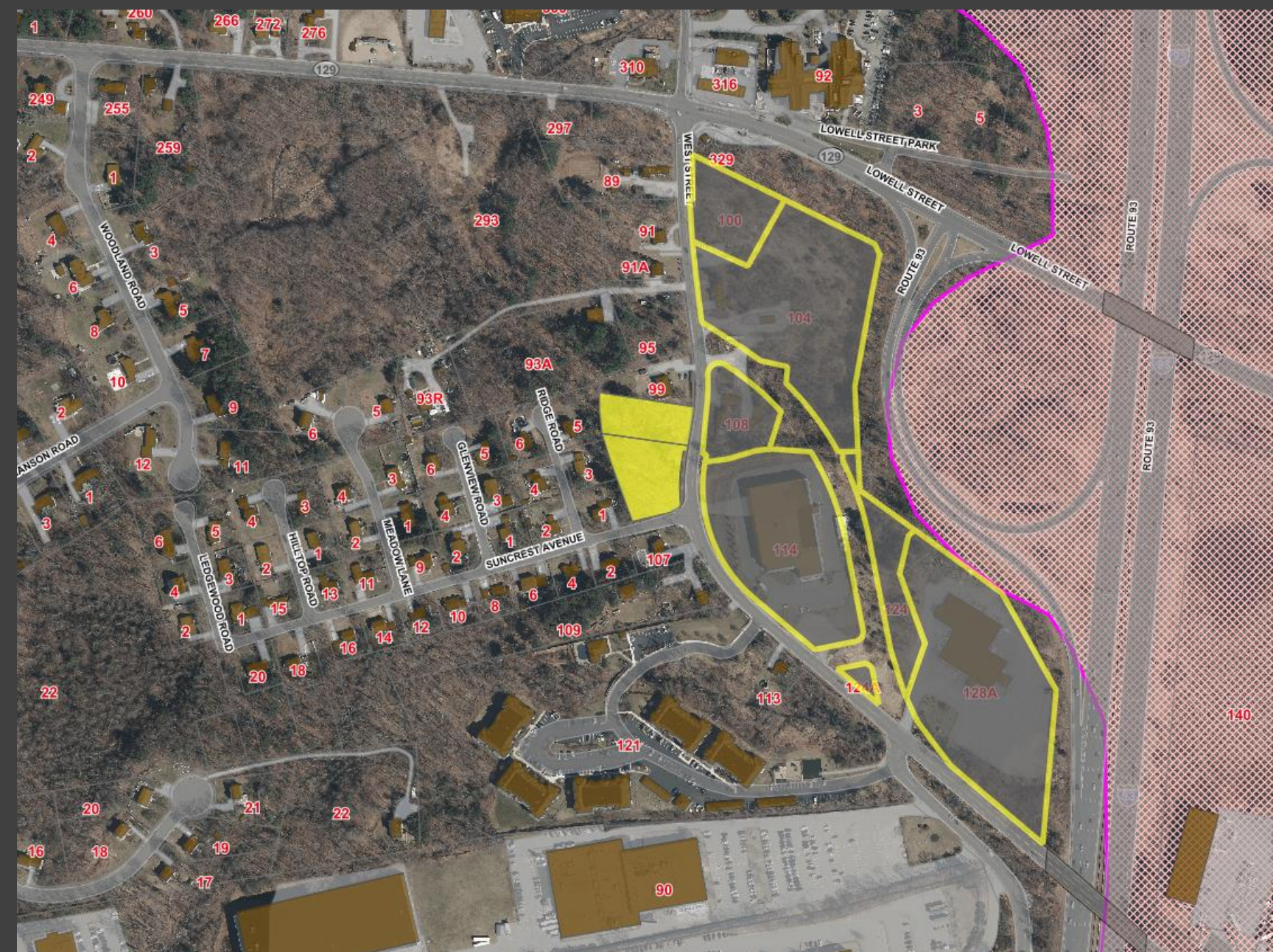
- July 2023 – Daily/Weekly FAQs about Section 3A on social media, website, Information Sessions at various locations
- August 2023 – Survey and Information Sessions
- September 2023 – Meetings with Planning Board and Select Board
- Fall 2023 – Draft Zoning Review with Planning Board
- Winter/Spring 2024 – Information Sessions prior to Town Meeting







# Compliant Example – Main, West, Jefferson





# Compliant Example – Main, West, Jefferson





# Compliant Example – Main, West, Jefferson

