



Town of Groveland

Section 3A Zoning 101

June 24, 2024



What is Section 3A?

(the MBTA Communities Act)

Overview of Section 3A

What is MGL c. 40A Section 3A (the MBTA Communities Act)?

This **law** – passed in **2021** – established a requirement that each of the 177 designated MBTA Communities (MGL c. 161A Section 1) must have **zoning** that:

1. Provides for at least 1 district of reasonable size in which multifamily housing is permitted as of right.
2. Cannot have age-restrictions and shall be suitable for families with children.
3. Must have a minimum gross density of 15 dwelling units per acre.
4. Part of the district must be located within 0.5 miles from a commuter rail, subway, ferry, or bus station, as applicable.

What is the purpose behind the new law?

1. Massachusetts has a **housing shortage**, and we need to produce more housing.
2. The amount of housing that is **financially attainable** to most households is **dwindling**.
3. The Commonwealth is at a **disadvantage to compete** for businesses, jobs, and talent.
4. Placing housing near transit is **good** housing, economic, transportation, and climate **policy**.

Overview of Section 3A

What the Section 3A is **NOT**.



Zoning provides options for a landowner, but does not require them to change the use on their property.



No one – private or public – is required to meet the unit capacity number.



Any housing developed will be primarily market rate. Affordability is a local option and is limited.



Towns have many options to address housing needs – this is only one tool.

Overview of Section 3A

What is the definition of multi-family housing?

“Multi-family housing” is defined as **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.

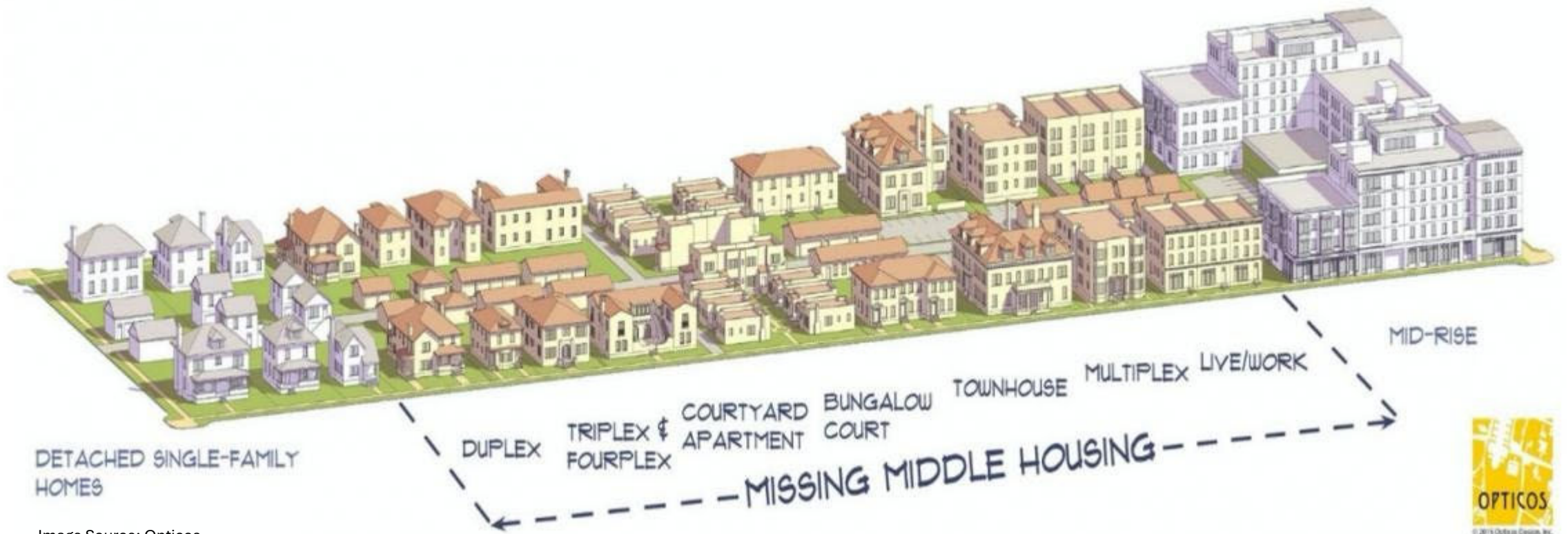


Image Source: Opticos

**How does a community demonstrate
compliance?**

Demonstrating Compliance

Submit an **application** to EOHLC.*

Provide a map (the **GIS shapefiles**) of your district(s).

Provide a completed **Compliance Model**.

Provide the Town's **zoning bylaws** and indicate the district(s) that comply.

*Executive Office of Housing and Livable Communities

Demonstrating Compliance

Q: Do we have to change our zoning?

A: No – some communities have zoning that is compliant. Others only need to make minor changes.

The **Compliance Model can be used to test whether a town already has zoning that is compliant.**

Demonstrating Compliance

Q: What is the Compliance Model?

A: The Compliance Model is an Excel workbook that draws information from two sources:

- ▶ The Town's zoning (the dimensional standards or zoning parameters)
- ▶ A state database of parcel information (calculations related to land)

The model has a series of formulas that apply the zoning to the geography. The result is a calculation of unit capacity and density.

Q: What factors influence these calculations?

A:

▶ For **Land**: Is it:

- ▶ Developable Land,
 - ▶ Excluded Land, or
 - ▶ Sensitive Land?

Developable and Sensitive Land can be modeled for **unit capacity**; Excluded Land cannot.

▶ For **Zoning**: Specific dimensional standards:

- ▶ Minimum lot size,
- ▶ Minimum lot area per dwelling units,
- ▶ Open space,
- ▶ Lot coverage,
- ▶ Floor Area Ratio,
- ▶ Building height,
- ▶ Parking, and
- ▶ Dwelling units per acre.

Demonstrating Compliance

Q: What is Excluded Land?

A: Land areas on which it is not possible or practical to construct multi-family housing:

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 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.
4. Protected open space and recreational land that is legally protected in perpetuity (for example, land owned by a local land trust or subject to a conservation restriction), or that is likely to remain undeveloped due to functional or traditional use (for example, cemeteries).
5. All public rights-of-way and private rights-of-way.
6. Privately-owned land on which development is prohibited to protect private or public water supplies, including, but not limited to, Zone I wellhead protection areas and Zone A surface water supply protection areas.
7. Privately-owned land used for educational or institutional uses such as a hospital, prison, electric, water, wastewater or other utility, museum, or private school, college or university.

Demonstrating Compliance

Q: What is Sensitive Land?

A: Developable land that, due to its soils, slope, hydrology, or other physical characteristics, has significant conservation values that could be impaired, or vulnerabilities that could be exacerbated, by the development of multi-family housing. It also includes locations where multi-family housing would be at increased risk of damage caused by flooding. Sensitive land includes, but is not limited to, wetland buffer zones extending beyond the title 5 setback area; land subject to flooding that is not a wetland resource area; priority habitat for rare or threatened species; DEP-approved wellhead protection areas in which development may be restricted, but is not prohibited (Zone II and interim wellhead protection areas); and land areas with prime agricultural soils that are in active agricultural use.



What does Section 3A
mean for
the Town of Groveland?

Groveland's Requirements

Groveland is an Adjacent Small Town community (deadline for compliance: **December 31, 2025**).

Three requirements:

- ▶ **Land Area** (in acres)
 - ▶ **Contiguous area** (size requirement for towns with more than one district)
- ▶ **Estimated number of residential dwelling units** (**unit capacity**)
- ▶ **Residential density**

Groveland's Requirements

Summary of Requirements

Metric	Groveland's Requirement
Minimum Land Area	No minimum
Number of Acres within Station Area	Not applicable
Minimum Contiguous District Size	Minimum 50% of the total district size

Metric	Groveland's Requirement
Minimum Unit Capacity	130 units
Number of Units within Station Area	Not applicable

Metric	Requirement for All Towns
Minimum Density Requirement	15 DU/AC (average)

Groveland's Requirements

Requirements for Land

Groveland has 6,016 acres of land
(9.4 square miles)

Groveland has **no acreage minimum**.

However, a unit capacity of 130 units and a
minimum density of 15 units per acres means **the
minimum is just under 9 acres**.



Groveland's Requirements

Requirements for Residential Units

As of 2020, Groveland had 2,596 residential units.

Groveland is required to **re-zone to allow a calculated unit capacity of 130 multi-family residential units**. This is just over 5% of the total existing units.

Note, the calculated capacity may be based on land that is already developed. Therefore...

Unit Capacity ≠ New Units

Source: Bing Bird's-eye

Groveland's Requirements

Requirements for Residential Density

Density = # units/ #acres
= dwelling units per acre

All 177 communities are required to have a **minimum average density of 15 dwelling units per acre**.

EXAMPLE 1: 15 DUPLEX UNITS



Illustrations not to scale.

EXAMPLE 2: 3 5-UNIT BUILDINGS



Understanding Density

Understanding Density

Guess the **Density**!



214 School Street

Land Area: 0.17 acres

Existing Units: 1

Density: 5.83 du/acre

Image Source: Google Street Map/ Data Source: ResiDensity + Groveland GIS

Understanding Density

Guess the **Density**!



107 Center Street

Land Area: 0.24 acres

Existing Units: 3

Density: 12.25 du/acre

Image Source: Google Street Map/ Data Source: ResiDensity + Groveland GIS

Understanding Density

Guess the **Density!**



23 Elm Park

Land Area: 0.26 acres

Existing Units: 4

Density: 15.12 du/acre

Image Source: Google Street Map/ Data Source: ResiDensity + Groveland GIS

Understanding Density

Guess the **Density**!



256 Main Street

Land Area: 0.12 acres

Existing Units: 3

Density: 24.36 du/acre

Image Source: Google Street Map/ Data Source: ResiDensity + Groveland GIS

Understanding Density

Guess the **Density**!



340 Main Street

Land Area: 0.16 acres

Existing Units: 5

Density: 30.88 du/acre

Image Source: Google Street Map/ Data Source: ResiDensity + Groveland GIS

Locating the Unit Capacity

Locating the Unit Capacity

Where is it **possible**, under the Compliance Guidelines, to add unit capacity?





Excluded Land: not available

Sensitive Land: available, but other considerations

Remaining land: available

Groveland 3A Map

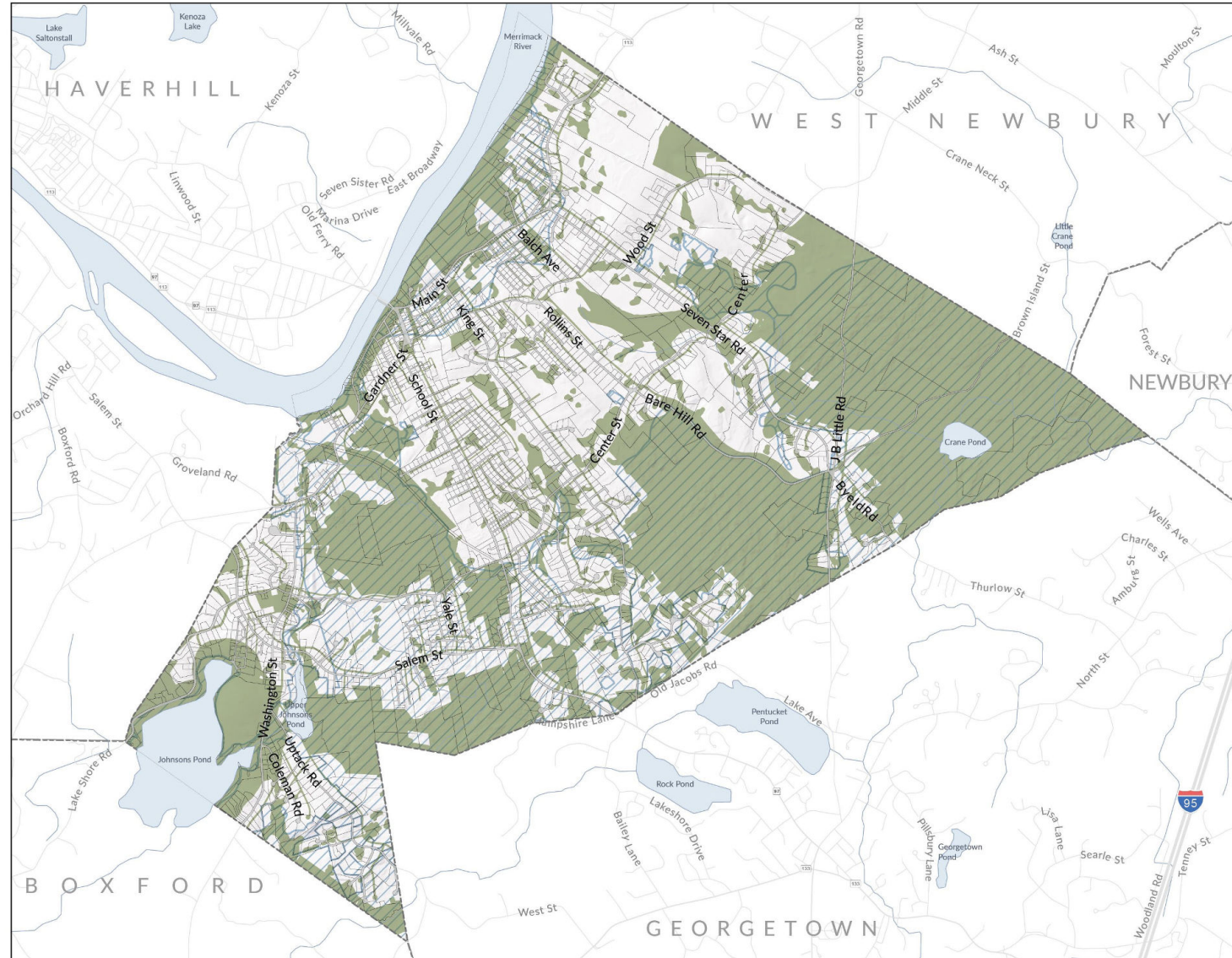
LEGEND

-  Hydrography
-  Parcels
-  Excluded Land
-  Sensitive Land



Map Scale
1:13,000

This map was produced on 6/18/2024 by Innes Associates using data from Mass GIS, 'Bureau of Geographic Information (MassGIS), Commonwealth of Massachusetts, Executive Office of Technology and Security Services'.



Locating the Unit Capacity

Where is it **appropriate**, given good planning and Town needs, to add unit capacity?

Adjacencies to services and amenities?

Infill for existing neighborhoods?

New areas for development?

Groveland Parcel Scoring Map

LEGEND

 Hydrography

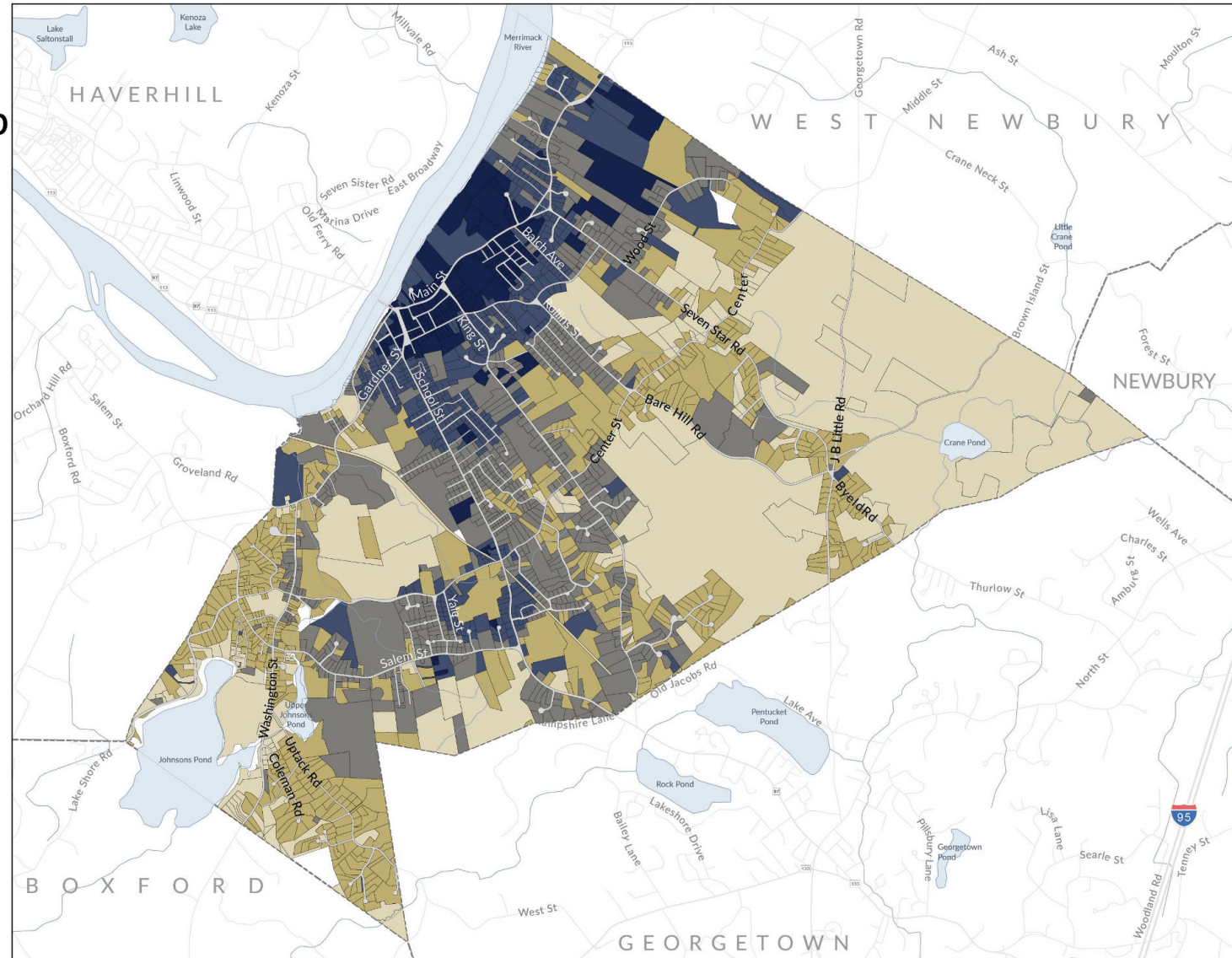
 Parcels

Parcel Score



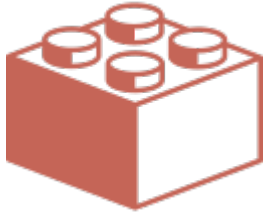
Map Scale
1:13,000

This map was produced on 6/18/2024 by Innes Associates using data from Mass GIS, "Bureau of Geographic Information (MassGIS), Commonwealth of Massachusetts, Executive Office of Technology and Security Services".



Locating the Unit Capacity

Use the Legos™!



= 5 units
(Minimum of 3
Legos™ on 1 acre)





Distribute 26 of these
Legos™ throughout the Town
in the places you fell are
most appropriate.

You will need a minimum
site of 5 acres or 75 units (15
Legos™).

Avoid the green areas!

Groveland 3A Map

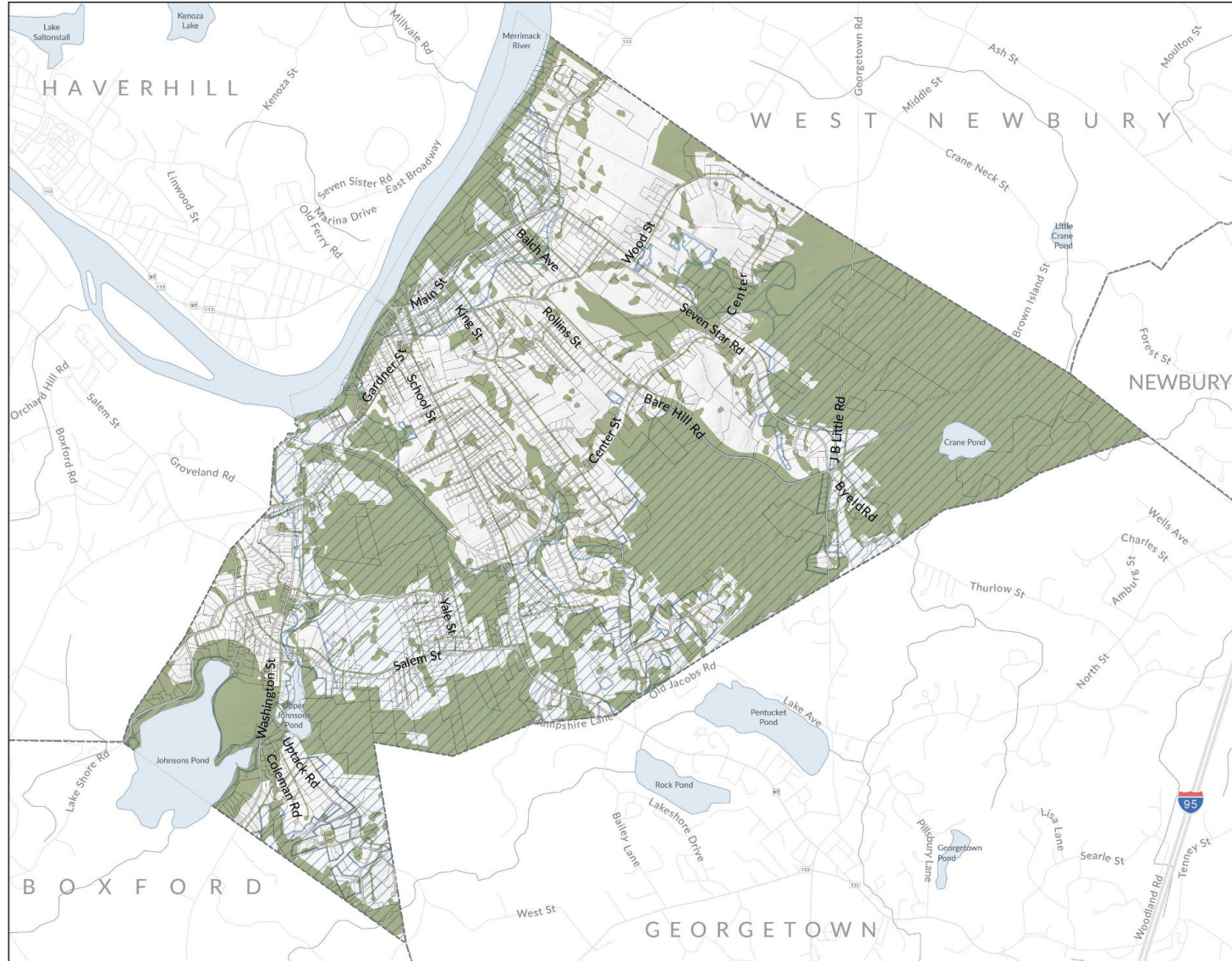
LEGEND

-  Hydrography
-  Parcels
-  Excluded Land
-  Sensitive Land



Map Scale
1:13,000

This map was produced on 6/18/2024 by Innes Associates using data from Mass GIS, 'Bureau of Geographic Information (MassGIS), Commonwealth of Massachusetts, Executive Office of Technology and Security Services'.



Report Back and Discussion

Appendix: How Does the Compliance Model Work? (High-level overview)

Demonstrating Compliance

Q: How does the Compliance Model work?

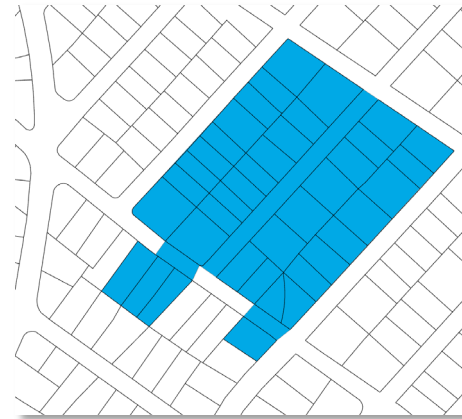
A: The Compliance Model produces an estimate of the unit capacity and density that is used to demonstrate compliance with Section 3A and the Compliance Guidelines. It works like by combining **geography** with **zoning**.

Demonstrating Compliance

Zoning is about **what a property could be**, not what it is now.

The compliance model measures the **potential unit capacity** of an area based on its zoning, not based on what is there now.

If the zoning changes, then a property owner has the **option** to do something different. Exercising that option depends on many other factors.



This zoning district's unit capacity may be different based on the difference between what is there now and the existing zoning.

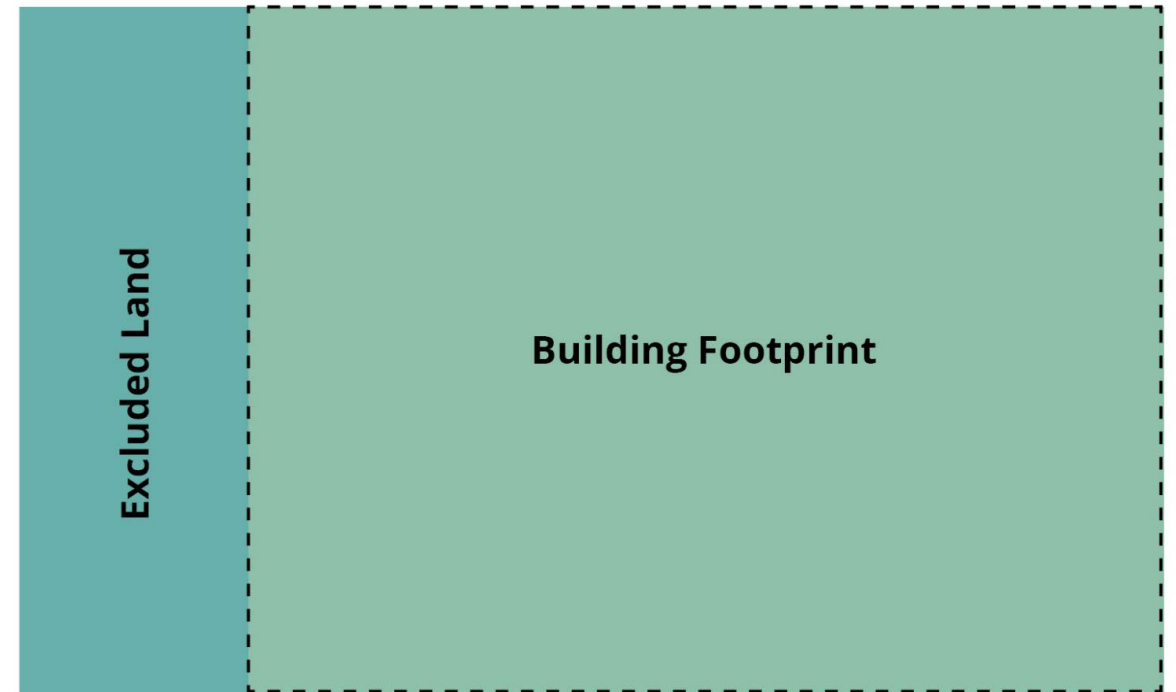
Demonstrating Compliance

Step 1: Zoning treats the parcel like a **blank slate**. Until the Model adds restrictions, the entire parcel is available for building.



Q: How does the **Compliance Model** work?

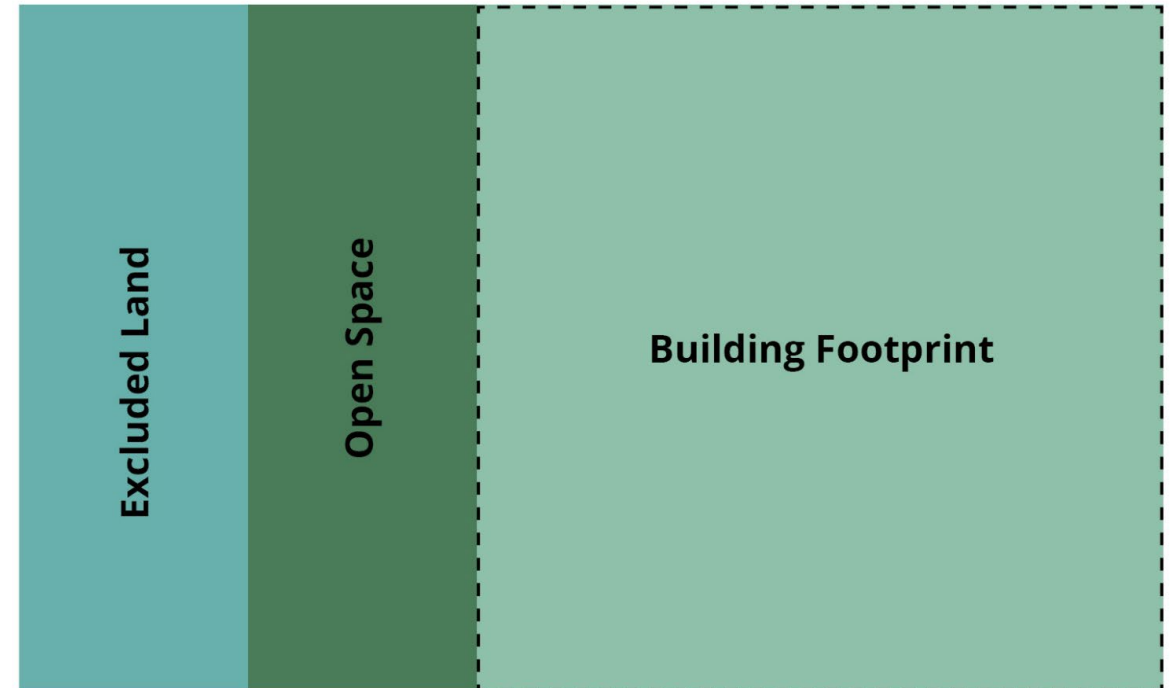
Step 2: The Model's restriction is to **remove Excluded Land** from the area available for building. Not all parcels will have Excluded Land.



Demonstrating Compliance

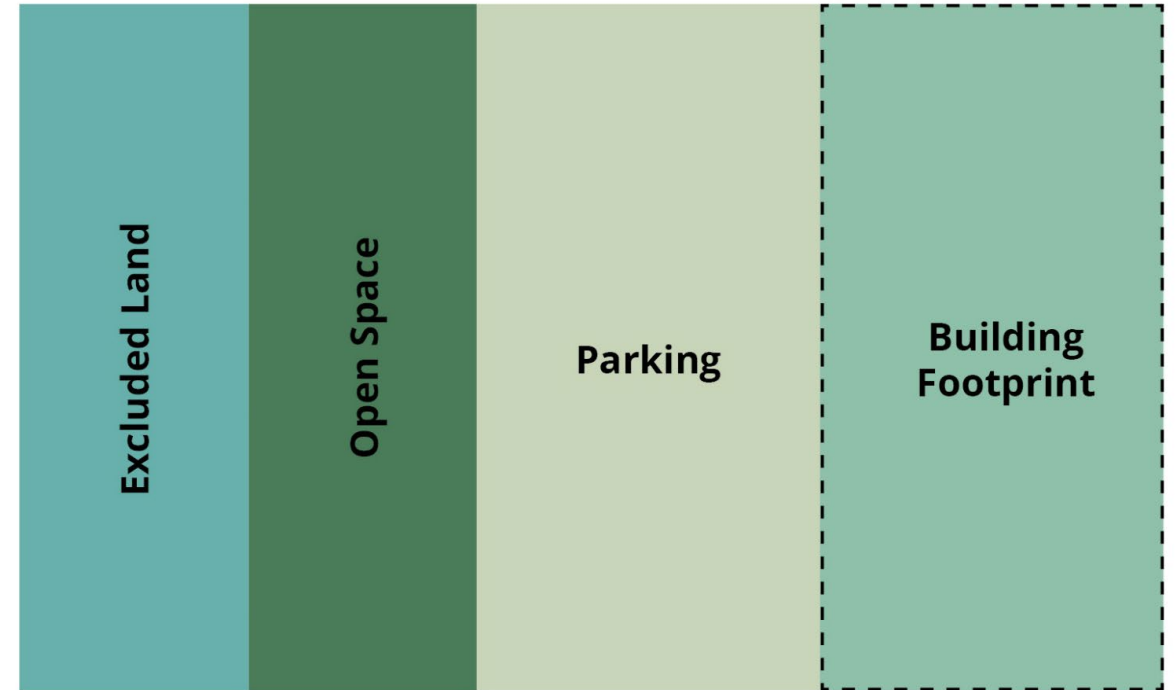
Q: How does the Compliance Model work?

Step 3: Next, the model reduces the buildable area by **removing Open Space**. The model assumes that setbacks are included in the open space restriction.



Q: How does the **Compliance Model** work?

Step 4: In most communities, **surface parking is more likely** because of the cost of structured parking. Surface parking competes with the space for the building footprint, and so further reduces the available space.



Demonstrating Compliance

Q: How does the Compliance Model work?

Step 5: At this point, other restrictions, such as lot coverage, **may further restrict the use of land** for the building footprint.

Step 6: Once the building footprint is set, the Model calculates the building volume.

Demonstrating Compliance

Q: How does the **Compliance Model** work?

Step 7: The Model adds volume by multiplying the building's height (in stories) to the available footprint. Other restrictions at this stage include Floor Area Ratio.

Step 8: The Model divides the total volume (in SF) by 1,000 to estimate of the number of units for this sample parcel. A limit on the number of units per parcel can restrict this result.



Demonstrating Compliance

Q: How does the Compliance Model work?

Step 9: The Model then calculates the results by district based on the individual results for each parcel in the district. The formulas in the Model include checks to make sure that it applies the zoning parameters correctly. Parcels within each district may have different results, depending on the size of the parcel and the presence or absence of Excluded Land.

