

Pre-Adoption Review Application for MBTA Communities Under Section 3A of the Zoning Act

Description Area

Please read the Section 3A Compliance Guidelines and the Instructions before starting to complete this form. Find these documents at mass.gov/mbtacomunities. This application may be submitted by an MBTA community seeking an opinion from DHCD as to whether a proposed zoning district complies with Section 3A of the Zoning Act and with the Compliance Guidelines for Multi-family Zoning Districts issued by DHCD August 10, 2022, as amended and/or revised (Compliance Guidelines). This application may be submitted by a municipal official undertaking Section 3A compliance activities. A red asterisk (*) next to a question on this form indicates that a response is required. Users will not be able to submit the form unless all required answers are completed. If upon submitting, the form returns to the questions section, there is an asterisked question that was not answered. Other documentation required to be submitted with this form includes: A completed Compliance Model Excel workbook file demonstrating the district's "zoning metrics", including land area, estimated unit capacity, gross density, geographic contiguity, and, if applicable, the percentage of district land area and unit capacity (relative to the community's minimum requirements) that is within transit station areas; A complete copy of the municipal zoning ordinance or bylaw and zoning map; A zip folder containing GIS shapefile(s) for the zoning district(s) designated for compliance. If Inclusionary Zoning (IZ) is applicable in the district designated for compliance, the pre-adoption review may include a determination as to whether an economic feasibility analysis (EFA) is required. If an EFA has already been completed, DHCD will review the EFA as well.

Section 1. Community Information

1.1 Municipality Belmont

Description Area Information about the community's specific zoning requirements under Section 3A and the Compliance Guidelines:

1.2 Community Category Commuter Rail

1.2a Minimum multi-family unit capacity 1632

1.2b Minimum Land Area in acres 28

1.2c Percent of district to be located in Transit Station Areas (express as a percentage, e.g. "50" for fifty percent) 50

1.3 Information about the contact person for this application	Christopher Ryan
1.3a Job Title/Description	Director of Planning and Building
1.3b Email Address	cryan@belmont-ma.gov
1.3c Phone Number	(617) 993-2658
1.4 Information about the municipal CEO	Patrice Garvin
1.4a Municipal mailing address of CEO	455 Concord Avenue Belmont, MA 02478
1.4b Email address of municipal CEO	pgarvin@belmont-ma.gov

Section 2. Compliance Documentation

Description Area	<p>Responses to the following questions should match the information from the Compliance Model Excel workbook which must also be uploaded.</p> <p>&nbsp;Please note: &nbsp;the total capacity for file uploads in this application is 25MB. &nbsp;If your files are too large for uploading, please provide links where DHCD can download the files. &nbsp;If you need assistance with this process, contact nathan.carlucci@mass.gov or emma.snellings@mass.gov</p>
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District 1:

Description Area

Section 3A requires MBTA communities to have a zoning "district" of reasonable size that allows multi-family housing as of right. To demonstrate compliance with the law, MBTA communities may submit a "district" that differs from boundaries adopted at the municipal level. For example, the "district" designated for compliance with Section 3A might consist of a portion of a municipal zoning district or might contain all of, or portions of, multiple municipal zoning districts. Furthermore, a single zoning district might have multiple subdistricts with distinct zoning rules. The Compliance Model requires communities to input a separate "district" for each distinct set of zoning rules, whether they are derived from districts or subdistricts. This does not mean that separate entries are required where one district or subdistrict appears in multiple distinct geographies on a zoning map. The districts used on this application must match the districts used in the Compliance Model workbook. If the MBTA community used only one district in the Compliance Model, enter that information for "District One". If the MBTA community used multiple districts in the Compliance Model, enter the first district for "District One". This application will accept up to six distinct districts/subdistricts. If more than six are necessary, please contact MBTA communities' staff. Once each separate district/subdistrict information has been entered, there is a separate section for the cumulative data of all districts.

District 1: 2.1 Brief narrative description of the district, including its name and location

BELMONT MBTA 3A MAP #1 SUBMISSION

Multifamily Overlay Zone 1A (MOZ1A). The MOZ1A subdistrict facilitates the preservation of existing homes through conversion to multiple units and new, smaller-scale, multi-family buildings similar in size to the surrounding residential neighborhoods including triple deckers and other configurations, intended for smaller lots.

**Note that the zoning bylaw does not have separate dimensional columns for MOZ1A and MOZ1B as the only difference is lot size and unit cap.

Description Area

Inputs for the quantitative "zoning metrics" fields below can be found in the Compliance Model workbook Summary Tab

District 1: 2.2 Land area in acres

12.84

District 1: 2.3 Estimated unit capacity

237

District 1: 2.4 Gross density in units per acre

18.46

District 1: 2.5 Land area (acres) in transit station areas

9.03

District 1: 2.6 Estimated unit capacity in transit station areas 162

District 1: 2.7 Is there a second district or subdistrict? Yes

District 2:

District 2: 2.1 Brief narrative description of the district, including its name and location BELMONT MBTA 3A MAP #1 SUBMISSION
Multifamily Overlay Zone 1B (MOZ1B). The MOZ1B subdistrict facilitates the preservation of existing homes through conversion to multiple units and new, smaller-scale, multi-family buildings similar in size to the surrounding residential neighborhoods including triple deckers and other configurations, intended for larger lots

District 2: 2.2 Land area in acres 6.57

District 2: 2.3 Estimated unit capacity 130

District 2: 2.4 Gross density in units per acre 19.77

District 2: 2.5 Land area (acres) in transit station areas 5.44

District 2: 2.6 Estimated unit capacity in transit station areas 105

District 2: 2.7 Is there a third district or subdistrict? Yes

District 3:

District 3: 2.1 Brief narrative description of the district, including its name and location BELMONT MBTA 3A MAP #1 SUBMISSION
Multifamily Overlay Zone 2 (MOZ2). The MOZ2 zone facilitates the development of 2.5 story townhouses and apartment buildings of a small to moderate scale.

District 3: 2.2 Land area in acres 10.51

District 3: 2.3 Estimated unit capacity 145

District 3: 2.4 Gross density in units per acre 13.80

District 3: 2.5 Land area (acres) in transit station areas 10.51

District 3: 2.6 Estimated unit capacity in transit station areas 145

District 3: 2.7 Is there a fourth district or subdistrict? Yes

District 4:

District 4: 2.1. Brief narrative description of the district, including its name and location BELMONT MBTA 3A MAP #1 SUBMISSION
Multifamily Overlay Zones 3A (MOZ3A). The MOZ3A subdistrict facilitates the redevelopment of certain Belmont Housing Authority properties into moderate scale 5 story apartment blocks interspersed with open space.

District 4: 2.2 Land area in acres 2.14

District 4: 2.3 Estimated unit capacity 197

District 4: 2.4 Gross density in units per acre 91.93

District 4: 2.5 Land area (acres) in transit station areas 2.14

District 4: 2.7 Is there a fifth district or subdistrict? Yes

District 5:

District 5: 2.1 Brief narrative description of the district, including its name and location BELMONT MBTA 3A MAP #1 SUBMISSION
Multifamily Overlay Zones 3B (MOZ3B). The MFDZ3B subdistrict facilitates a mix of scales allowing the redevelopment of certain Belmont Housing Authority properties into small scale and moderate scale buildings interspersed with open space.

District 5: 2.2 Land area in acres 12.66

District 5: 2.3 Estimated unit capacity 462

District 5: 2.4 Gross density in units per acre 37

District 5: 2.5 Land area (acres) in transit station areas 12.66

District 5: 2.6 Estimated unit capacity in transit station areas 462

District 5: 2.7 Is there a sixth district or subdistrict? Yes

District 6

District 6: 2.1 Brief narrative description of the district, including its name and location BELMONT MBTA 3A MAP #1 SUBMISSION

Mixed Use Development Overlay Zone 4 (MXDZ4). The MXDZ4 subdistrict facilitates mixed-use development of moderate scale. This zone contributes new housing and commercial space in certain existing mixed-use centers and corridors, particularly those with access to mass transit. Buildings are typically set close to the sidewalk to create a defined street wall that supports pedestrian activity and a sense of place. Ground story active commercial uses address the needs of residents and employees in the immediate neighborhood, the larger Belmont community, and regional visitors.

Note: This is a Mandatory Mixed Use District.

District 6: 2.2 Land area in acres 10.92

District 6: 2.3 Estimated unit capacity 360

District 6: 2.4 Gross density in units per acre 33

District 6: 2.5 Land area (acres) in transit station areas 9.36

District 6: 2.6 Estimated unit capacity in transit station areas 310

District 6: 2.7 Is there a seventh district or subdistrict? Yes

Description Area Questions 2.5 - 2.6 apply to Rapid transit communities and Commuter rail communities. Questions 2.7 - 2.9 apply to communities with more than one district or subdistrict. Questions 2.11 - 2.12 apply to Rapid transit communities and Commuter rail communities that also have more than one district or subdistrict. Questions 2.13 - 2.14 apply to Rapid transit communities and Commuter rail communities. Questions that do not apply to a particular community will not appear.

District 7

District 7: 2.1 Brief narrative description of the district, including its name and location	BELMONT MBTA 3A MAP #1 SUBMISSION Multifamily Overlay Zone 5A (MOZ5A). The MOZ5A subdistrict facilitates the development of moderate scale multifamily buildings as apartments or condominiums three and a half (2.5) stories in height with a limited footprint per building.
District 7: 2.2 Land area in acres	2.36
District 7: 2.3 Estimated unit capacity	97
District 7: 2.4 Gross density in units per acre	41
District 7: 2.5 Land area (acres) in transit station areas	2.36
District 7: 2.6 Estimated unit capacity in transit station areas	97
District 7: 2.7 Is there an eighth district or subdistrict?	Yes

Description Area

Questions 2.5 - 2.6 apply to Rapid transit communities and Commuter rail communities. Questions 2.7 - 2.9 apply to communities with more than one district or subdistrict. Questions 2.11 - 2.12 apply to Rapid transit communities and Commuter rail communities that also have more than one district or subdistrict. Questions 2.13 - 2.14 apply to Rapid transit communities and Commuter rail communities. Questions that do not apply to a particular community will not appear.

District 8

District 8: 2.1 Brief narrative description of the district, including its name and location	BELMONT MBTA 3A MAP #1 SUBMISSION Multifamily Overlay Zone 5B (MOZ5B). The MOZ5B subdistrict facilitates the development of moderate scale multifamily buildings as apartments or condominiums with 4 stories in base height. A ground floor commercial option is available to allow 5 total stories in height. This typology has a larger footprint allowance than MOZ5A.
District 8: 2.2 Land area in acres	0.51
District 8: 2.3 Estimated unit capacity	43
District 8: 2.4 Gross density in units per acre	85
District 8: 2.5 Land area (acres) in transit station areas	0.51

District 8: 2.6 Estimated unit capacity in transit station areas 43

District 8: 2.7 Is there a ninth district or subdistrict? No

Description Area

Questions 2.5 - 2.6 apply to Rapid transit communities and Commuter rail communities. Questions 2.7 - 2.9 apply to communities with more than one district or subdistrict. Questions 2.11 - 2.12 apply to Rapid transit communities and Commuter rail communities that also have more than one district or subdistrict. Questions 2.13 - 2.14 apply to Rapid transit communities and Commuter rail communities. Questions that do not apply to a particular community will not appear.

District 9

District 9: 2.1 Brief narrative description of the district, including its name and location NA

District 9: 2.2 Land area in acres 0.00

District 9: 2.3 Estimated unit capacity 0

District 9: 2.4 Gross density in units per acre 0

District 9: 2.5 Land area (acres) in transit station areas 0.00

District 9: 2.6 Estimated unit capacity in transit station areas 0

District 9: 2.7 Is there a tenth district or subdistrict? No

Description Area

Questions 2.5 - 2.6 apply to Rapid transit communities and Commuter rail communities. Questions 2.7 - 2.9 apply to communities with more than one district or subdistrict. Questions 2.11 - 2.12 apply to Rapid transit communities and Commuter rail communities that also have more than one district or subdistrict. Questions 2.13 - 2.14 apply to Rapid transit communities and Commuter rail communities. Questions that do not apply to a particular community will not appear.

District 10

District 10: 2.1 Brief narrative description of the district, including its name and location	NA
District 10: 2.2 Land area in acres	0.00
District 10: 2.3 Estimated unit capacity	0
District 10: 2.4 Gross density in units per acre	0
District 10: 2.5 Land area (acres) in transit station areas	0.00
District 10: 2.6 Estimated unit capacity in transit station areas	0

Description Area	<p>Questions 2.5 - 2.6 apply to Rapid transit communities and Commuter rail communities. Questions 2.7 - 2.9 apply to communities with more than one district or subdistrict. Questions 2.11 - 2.12 apply to Rapid transit communities and Commuter rail communities that also have more than one district or subdistrict. Questions 2.13 - 2.14 apply to Rapid transit communities and Commuter rail communities. Questions that do not apply to a particular community will not appear.</p>
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Cumulative Zoning Metrics

Description Area	<p>This section appears for MBTA communities that are using more than one municipal zoning district or subdistrict to demonstrate compliance with Section 3A. Find this information in the "Totals" column of the "Comparison Table of Requirements and Modeled Results" on the Summary Tab of the Compliance Model workbook.</p>
2.8 Cumulative Land Area in acres	47.59
2.9 Cumulative Unit Capacity	1311
2.10 Overall gross density in units per acre	27.55
2.11 Cumulative Land area (acres) in transit station areas	42.63
2.12 Estimated unit capacity in transit station areas	1211

2.13 Percentage of land area (to minimum land area requirement) in transit station area. Enter as a percentage, i.e. "50" for 50%. 89.60

2.14 Percentage of unit capacity (to minimum unit capacity requirement) in transit station area. Enter as a percentage, i.e. "50" for 50%. 93

2.15 Is at least 50% of the district land area comprised of one contiguous geography? Yes

2.16 Are any district geographies smaller than 5 acres included in the land area calculation? No

Section 3: Compliance Model Uploads

Description Area Please note: the maximum file size for the total of all uploads in this application is 25MB. If files are too large for uploading, please provide links where DHCD can download the files. Further instructions for uploading shapefiles are available in the District Compliance Application Instructions. If you need assistance with this process, contact nathan.carlucci@mass.gov or emma.snellings@mass.gov

3.1 Did this community complete the Compliance Model and achieve numerical zoning standards that satisfy the requirements of Section 3A and the Compliance Guidelines? Yes

3.1a Completed Compliance Model Excel workbook <https://www.formstack.com/admin/download/file/16743311111>

<https://www.formstack.com/admin/download/file/16743311112>

3.1b If needed, please provide a link to the Excel Workbook if it is too large to be uploaded <https://belmont-ma.sharefile.com/d-s009e1959d21549b381576418fbb4be0c>

3.1c Zip folder containing GIS shapefile components for the designated zoning district(s) <https://www.formstack.com/admin/download/file/16743311114>

3.2 Were any modifications made to the calculations of the Compliance Model workbook, or to the parcel configurations or excluded land classifications provided by DHCD in the land maps? Yes

3.2a What kinds of modifications were made? Workbook calculations

Description Area Communities may find that modifications are necessary for the data contained in the Compliance Model to accurately reflect on-the-ground realities. For example, parcel configurations may have changed, or publicly owned land may have been disposed for private housing development. The Compliance Model workbook component allows users to override some of this data to better reflect those realities. If the community made any adjustments to that data, please submit a list of the adjustments that were made, and, if applicable, provide any evidence justifying the override (e.g., copy of a disposition agreement, a recorded plan of land, a recorded deed, etc).

3.2b Please attach a document explaining the modifications <https://www.formstack.com/admin/download/file/16743311117>

Section 4: Zoning Uploads

Description Area In the following section please provide a copy of the complete municipal zoning ordinance or bylaw, the proposed zoning amendments, the zoning map and a map showing the proposed districts. Please ensure that all uploads are in PDF format with searchable text and all map imagery is sufficient resolution for a user to zoom in and clearly read all labels and texts. If the community's official zoning map is in color, the upload must be in full color as well. Please note that the district compliance application requires certification by the city or town clerk that the uploaded zoning is complete and up to date. Please note: the total capacity for file uploads in this application is 25MB. If your files are too large for uploading, please provide links where DHCD can download the files. If you need assistance with this process, contact nathan.carlucci@mass.gov or emma.snellings@mass.gov

4.1 Please upload the complete existing zoning text <https://www.formstack.com/admin/download/file/16743311118>

4.1b Please upload any proposed amendments to the zoning text <https://www.formstack.com/admin/download/file/16743311119>

4.2 Please upload the official zoning map <https://www.formstack.com/admin/download/file/16743311120>

4.2b. Please upload the zoning map with any proposed amendments for compliance <https://www.formstack.com/admin/download/file/16743311121>

4.3 Is the municipality a town or a city? Town

4.3a When does the Town plan to adopt or amend the zoning by-law at Town Meeting in order to comply with Section 3A? Nov 18, 2024

Description Area Section 9 of the Compliance Guidelines requires towns to submit evidence that a new or amended by-law was adopted and was submitted to Attorney General's Office by submission of "Form 7" prior to submitting an application for District Compliance.

Section 5: Inclusionary Zoning/Affordability Requirements

5.1 Is multi-family housing development in this district subject to affordability requirements? Yes

5.2 Through which mechanism are affordable units required? (check all that apply) Inclusionary zoning bylaw or ordinance that applies to the whole municipality

Description Area DHCD pre-adoption review of affordability requirements, and, if applicable, an economic feasibility analysis, is recommended, but not required. If a pre-adoption review application is submitted without the affordability provisions or an economic feasibility analysis, there is a risk that some requirement of the inclusionary zoning may later cause a pre-approved zoning district to not be certified as compliant when the MBTA community applies for district compliance.

Local Inclusionary Zoning

5.3 What is the threshold of units in a project to trigger affordability requirements? 6-12 Units = 10%; 13-20 Units = 12%; 20+ Units = 15%

5.4 What is the cap on the income of families or individuals to occupy the affordable units, expressed as a percentage of Area Median Income? (For example, 80% of AMI, 60% of AMI) 80% of AMI

5.5 What is the threshold of units in a project to trigger affordability requirements? Please describe how rounding and fractional units are handled.

Section 6.10 of the Zoning Bylaw currently states: "Where the calculation of Affordable Housing Units results in a fractional unit greater than one-half (.5), the fraction shall be rounded up to the next whole unit. Where the calculation results in a fractional unit less than or equal to one-half (.5), the fraction shall be rounded down to the next whole unit."

The revised version of the bylaw currently under review revises the last sentence to read: "Where the calculation of Affordable Housing Units results in a fractional unit, the fraction shall be rounded up to the next whole unit."

5.6. How does the threshold apply?

To the number of units added to a lot/to a project, and pre-existing units do not count towards the unit threshold

5.7. Please describe any zoning or developer incentives

None

5.8 May a financial payment be provided in lieu of providing on-site affordable units?

Yes

5.8a What is the formula used to calculate the required payments?

In exceptional circumstances, the Planning Board may allow the applicant for a Development of 6 or more for-sale new Housing Units to make a cash payment to the Affordable Housing Trust Fund in lieu of providing Affordable Housing Units required under this Section 6.10. Such cash payment shall be equal to 5% of the projected total sale price of the Housing Units based on an appraisal satisfactory to the Planning Board.

5.9 May offsite affordable units be provided as an alternative form of compliance?

No

5.10 Please provide any other description of town/city wide inclusionary zoning requirements not captured in the preceding questions.

Note that Belmont needs to amend the current Inclusionary Housing Bylaw (Section 6.10) in order to comply with MBTA 3A. This draft amendment is uploaded to the Zoning Uploads page (p. 14)

Description Area

If a municipality wants units that are developed as of right in accordance with inclusionary zoning requirements to be listed on its Chapter 40B Subsidized Housing Inventory, then it must submit an application to DHCD to review the units as "Local Action Units" (LAU) for compliance with "Local Initiative Program" (LIP) requirements. Learn more about this at: Local Initiative Program | Mass.gov (https://www.mass.gov/service-details/local-initiative-program)

5.11 Has the appropriate municipal staff reviewed the guidelines for the Local Initiative Program/Local Action Unit (LIP/LAU) and do they understand the process for getting Inclusionary Zoning units onto the Subsidized Housing Inventory? Yes

Section 6: Zoning Data

6.1 Please describe the zoning (or non-zoning) changes that are proposed. Select all that apply A new zoning district

6.2 How does the new district differ from the previous or underlying base zoning district(s)? Select all that apply

- Allows multi-family housing as of right, vs by special permit
- Allows multi-family housing as of right, vs prohibiting it
- Allows more dwelling units per lot by direct dimensional regulations (i.e. units per lot area, etc)
- Allows more dwelling units per lot by indirect dimensional regulations (i.e. setbacks, FAR, etc)

6.6 Will the changes be voted on using a Simple Majority voting threshold under c. 40A Section 5? Yes

6.8 Please describe any other changes that were made previously made to comply with Section 3A

Concurrently with seeking amendments to facilitate MBTA 3A, Belmont will be bringing two additional Zoning Bylaw amendments to Fall 2024 Special Town Meeting. These are:

1. Amendments to Section 6.10, Inclusionary Housing, to eliminate any 3A conflicting provisions.
2. Amendments to Section 7.3, Design and Site Plan Review, intended to establish a reasonable site plan review process for Belmont whereas the current version is infrequently used and has been substandard.

These files are available for review on the links provided in the accompanying cover letter and narrative.
