



Commonwealth of Massachusetts
**DEPARTMENT OF HOUSING &
COMMUNITY DEVELOPMENT**

Charles D. Baker, Governor ♦ Karyn E. Polito, Lt. Governor ♦ Jennifer D. Maddox, Undersecretary

December 15, 2021

MBTA COMMUNITIES: HOW TO COMPLY IN 2022

New section 3A to the Zoning Act (Chapter 40A of the General Laws) requires each of the 175 MBTA communities to have a zoning district in which multifamily zoning is permitted as of right, and that meets other requirements set forth in the statute. An MBTA community that does not comply with Section 3A is not eligible for funding from the Housing Choice Initiative, the Local Capital Projects Fund, or the MassWorks Infrastructure Program.

This document describes the actions MBTA communities must take to remain eligible for these funding sources for the next One Stop application cycle, which formally opens on May 2, 2022 and closes on June 3, 2022. These requirements supersede and replace the Preliminary Guidance for MBTA Communities Regarding Compliance with Section 3A of Chapter 40A (By Right Multifamily Zoning) issued on January 29, 2021.

How to Comply in 2022

Simultaneously with the release of these 2022 compliance requirements, the Department has issued Draft Guidelines for public comment, which can be found here: www.mass.gov/mbtacomunities. To remain in compliance with Section 3A while DHCD is collecting public comment on the Draft Guidelines, an MBTA community must take the following actions by no later than 5:00 p.m. on May 2, 2022:

1. Include a presentation of the Draft Guidelines in a meeting of the Select Board, City Council or Town Council, as applicable;
2. Complete and submit the MBTA Community Information Form, found here: www.mass.gov/forms/mbta-community-information-form; and
3. Submit updated GIS parcel maps to MassGIS if the most recent updated parcel maps were submitted prior to January 1, 2020. DHCD will contact each of the 14 MBTA communities that need to submit updated GIS parcel maps.

Up-to-date standardized parcel maps are important to assist your community in determining whether an existing or proposed new multi-family zoning district meets the criteria established in the Draft Guidelines. To submit updated parcel update, or if you have questions about it, please contact MassGIS staff Craig Austin craig.austin@mass.gov.

These requirements are effective as of December 15, 2021 and will remain in effect until the issuance of final compliance guidelines, or until modified or revoked by DHCD.